Commentary
March 2006

Has the "New York Times" Violated the Espionage Act?

Gabriel Schoenfeld

Art for Sale
Michael J. Lewis

What Is a Bush Republican?
Daniel Casse

The Last of the (Hebrew) Mohicans
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Britain's Neoconservative Moment
Daniel Johnson

Remembrance of Cultural Revolutions Past
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Satchmo and the Scholars
Terry Teachout

Books in Review
Kay S. Hymowitz • Gary Rosen • Hillel Halkin
James Nuechterlein • Andrew C. McCarthy

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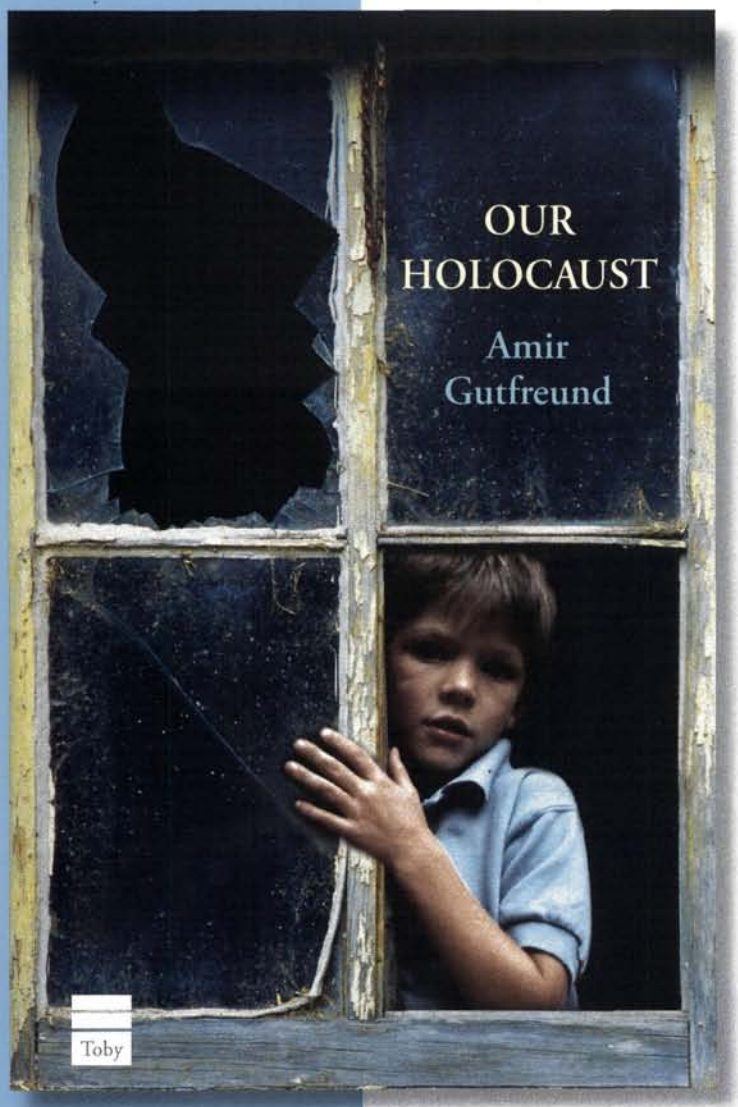

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Commentary

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E. Robert Goodkind, *President*

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Commentary
March 2006

Letters from Readers

Intelligence & Iraq

To the Editor:

Norman Podhoretz writes as though the best argument advanced by critics of the Bush administration is that the President knowingly uttered false statements in making the case for war ["Who Is Lying About Iraq?," December 2005]. That is not so. What critics have pointed out is that many of the public claims of administration officials in the run-up to the invasion were based on information that most U.S. intelligence experts believed to be unreliable. Mr. Podhoretz's parade of pre-war quotes from Democrats unequivocally establishes that Saddam Hussein was widely believed to be a threat, but they shed no light on the charge that the administration mischaracterized that threat by the negligent or willful misconstruing of intelligence.

Critics maintain that the administration trumpeted fearsome-sounding allegations while systematically disregarding more prudent and accurate analyses; that officials broke with past procedures by analyzing intelligence directly, and were credulous of defectors and prisoners whom intelligence professionals viewed with skepticism; and that specific claims regarding Iraq's nuclear program and the connection between Iraq and al Qaeda were based on intelligence known to be of dubious accuracy.

All of this goes unmentioned by Mr. Podhoretz. Instead, he breezily declares that "[t]o lie means to say something one knows to be false." But my dictionary also defines a lie as "something meant to deceive or give a wrong impression." In defining deceit down, Mr. Podhoretz is, at best, engaging in revisionist English.

He points out that the President never uttered the phrase "imminent threat." This overlooks the fact that the President called Iraq a threat of "unique urgency." Donald Rumsfeld (unmentioned in Mr. Podhoretz's essay) said that he "would not be so sure" that the threat from Iraq was not imminent. He also claimed that "we know where [the WMD] are." At any rate, the administration *acted* as though the threat were imminent, declining to allow weapons inspectors to complete their work.

Despite Mr. Podhoretz's obsession with Joseph Wilson, the fact remains that the CIA was dubious of the claim that Saddam sought uranium from Niger even before Wilson made his trip there. Throughout 2002, Bush's adviser Stephen Hadley ignored CIA warnings that the Niger yellowcake story was false. In the end, by sourcing the report to British intelligence, the administration managed to sneak a scary-sounding assertion into the State of the Union address without taking any responsibility for its accuracy.

Mr. Podhoretz makes much of the fact that special prosecutor Patrick Fitzgerald has said that his indictment of I. Lewis (Scooter) Libby for his role in the Joseph Wilson/Valerie Plame affair "is not about the war." But the indictment does give some insight into the Bush administration's treatment of inconvenient and stubborn facts. When confronted with the public discrediting of a claim it had made in the run-up to war, the administration knew not to insist on its accuracy. Instead, it sought to discredit Wilson, the messenger.

Mr. Podhoretz is capable of much better than "Who Is Lying About Iraq?" I hope he will soon cease laboring to paper over the mistakes the U.S. has made in the past, and work to convince Americans that a secure and democratic Iraq can be a model for the Middle East and a landmark for U.S. foreign policy.

Matthew Foley
Christiansted, Virginia

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TO THE EDITOR:

Norman Podhoretz's article merely continues the deceit about Iraq. Contrary to what he suggests, the real question is not whether intelligence indicated the existence of WMD in Iraq but whether the WMD threat was so extreme that immediate war was the only realistic policy. The questions "Why war?" and "Why then?" have been ignored by Mr. Podhoretz and other apologists for the Bush administration.

No doubt war was needed to depose Saddam, but not to stop his WMD threat. It is true that (as Mr. Podhoretz notes) President Clinton and other Democrats believed that Saddam probably had WMD, and that in 1998, Democratic Senators urged Clinton to take "necessary actions"—including, "if appropriate, air and missile strikes on suspected Iraqi [WMD] sites"—but that is not the same as deploying a half-million ground troops.

Moreover, by March 2003, Saddam had been forced to readmit the UN weapons inspectors he had ejected in 1998, and the same Democrats were urging President Bush to delay the invasion so that the inspectors would have time to finish their work. To be sure, the inspectors were facing resistance and evasions from Saddam, but progress was being made, and they were beginning to cast doubt on the accuracy of the "estimates" and assertions on which the Bush policy was based.

But Bush could not wait to achieve his true objective of regime change by force of arms. So, to garner the support of the American people for his war of choice, he and his administration exaggerated the threat to U.S. security and offered straw-man arguments—and therein lay the lie.

Take the portions of the 2003 State of the Union address that Mr. Podhoretz himself quotes. Contrary to the President's rhetoric, no one was suggesting that the U.S. trust "in the sanity and restraint of Saddam Hussein." No one was insisting that we wait until "terrorists and tyrants"—note the subtle alliterative linking of al Qaeda and Saddam—"announced their intentions." No one was suggesting that the U.S. allow Saddam's WMD threat to "fully and suddenly emerge" before taking action. But actions short of a ground invasion were available, from expanding the no-fly zone to gradually more coercive inspections to air and missile strikes on suspected WMD sites or even on the al-Qaeda training camp that purportedly proved Saddam's alliance with Osama bin Laden.

President Bush would have none of this. He wanted a ground invasion to depose Saddam. So he and his minions pumped up the evidence of WMD to suggest that an attack by the al Qaeda-Saddam alliance was so imminent that immediate invasion was necessary to protect America's security. That was the deception, and that was how President Bush, in more ways than one, misled us into war.

MICHAEL STARR
New York City

TO THE EDITOR:

In building his case that the Bush administration was forthright in leading America into war in Iraq, Norman Podhoretz does what the Bush administration has been accused of doing, namely, obfuscating in order to push an agenda. I will cite but two examples.

Mr. Podhoretz states that even Hans Blix "lent further credibility to the case [that Saddam Hussein was harboring WMD] in a report he issued only a few months before the invasion." A long quote from Blix about the "discovery of a number of chemical rocket warheads" that possibly represented "the tip of a submerged iceberg" is then offered, but Mr. Podhoretz, in an uncharacteristic effort to save words, shortens the quote with an ellipsis. See, though, how the missing text changes the meaning: "The investigation of these rockets is still proceeding. Iraq states that they were overlooked from 1991 from a batch of some 2,000 that were stored there during the Gulf war. This could be the case."

To substantiate Bush's argument for a connection between Saddam and al Qaeda, Mr. Podhoretz mentions the "independent British investigation conducted by Lord Butler, which pointed to 'meetings . . . between senior Iraqi representatives and senior al-Qaeda operatives.'" Again, crucial phrases are left out. The immediately preceding sentence in the Butler Report is this: "Although Saddam's attitude to al Qaeda has not always been consistent, he has generally rejected suggestions of cooperation." Elsewhere, Butler stated: "We have no intelligence of current cooperation between Iraq and al Qaeda and do not believe that al Qaeda plans to conduct terrorist attacks under Iraqi direction."

Paragraph after paragraph, Mr. Podhoretz shades meanings to suit his thesis. The fantasy is complete when he states with confidence that the war is "proving itself more and more every day to be a victory of American arms and a vindication of American ideals." This ignores the increasing violence in Iraq, reports of prisoner abuses by the U.S. military, the negative view of too many Iraqis toward their American "liberators," and other blights that have occurred or come to light since our President declared "victory."

LEE REICH
New Paltz, New York

TO THE EDITOR:

I daresay I have read almost everything Norman Podhoretz has written over the last 40 years, such is my respect for what he has to say—though I do not always agree with him—on a wide range of subjects. I applaud him for his summary account of why he believes it is a lie to say that President Bush told a series of lies to justify going to war in Iraq.

My difference here with Mr. Podhoretz is in my judgment that the real or most troubling issue is not whether the President lied. (I may be mistaken, but I know of no Democrat or Republican in Congress who has accused him of outright lying or of fabricating pre-war intelligence.) The serious question is whether George W. Bush shared with Congress *all* of the intelligence he was given prior to his decision to invade.

Is it true, for example, that (as Hendrik Hertzberg has claimed) such information as the administration did impart to Congress "had been scrubbed of the doubts and refutations of intelli-

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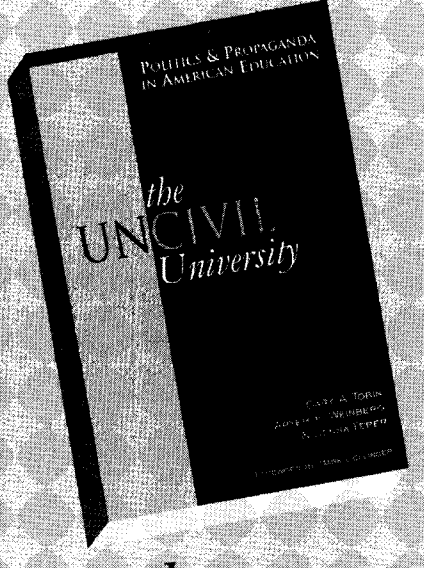

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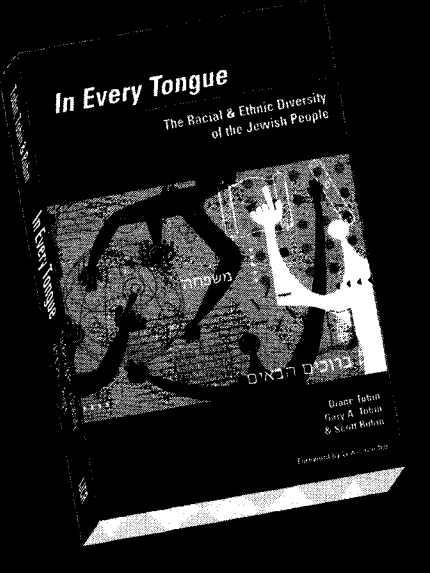

In Every Tongue

The Racial & Ethnic Diversity of the Jewish People

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gence professionals"? It may well be that what the President chose not to tell Congress (and the American people) does not rise to the level of lying. But did he refrain from telling the full truth when to do so might have made a difference in the debate leading up to the vote on the war?

Perhaps if the President had been more straightforward about the pre-war intelligence, and about the failures in prosecuting the war since the fall of Saddam Hussein, he might not now be having to dissuade the majority of Americans of their belief (as indicated by polls) that he "deliberately misled people to make the case for war with Iraq."

JOHN H. BUNZEL
Hoover Institution
Stanford, California

TO THE EDITOR:

Norman Podhoretz marshals a powerful set of quotations to prove that "it is as close to certainty as we can get that Bush believed in the truth of what he was saying about WMD in Iraq." But there is one big piece of evidence he does not address. For several months, almost up to the day of the invasion, a substantial group of UN weapons inspectors had found no evidence of WMD. According to Hans Blix:

> While inspectors identified and supervised the destruction of missiles that somewhat exceeded the permitted range, they did not find any of the WMD which were unaccounted for, nor did they get credible explanations for their absence. The Iraqis grumbled but behaved tolerably well. They did not even make any serious resistance to inspections of two presidential sites—in their eyes probably the most sacrosanct spots in Iraq.

Donald Rumsfeld famously dismissed the failure to find WMD by declaring that "absence of evidence is not evidence of absence." But surely the absence of evidence would suggest to anyone at least the possibility and, after a time, maybe even the probability, that there was nothing to be found. Bush was undoubtedly well informed about the inspectors' actions. He no doubt also knew that his own CIA had no useful leads to give to them.

Blix wanted more time to search further. A majority of the members of the UN Security Council wanted to give it to him. But we would not wait. This strongly suggests that Bush's primary motivation was something other than the threat of WMD. That, together with evidence of the "stovepiping" of intelligence, makes one doubt that he and those around him were being entirely ingenuous with the public.

JOHN M. LEVY
Blacksburg, Virginia

TO THE EDITOR:

Norman Podhoretz points out many important facts and rationales in support of the invasion of Iraq, but he fails to point out the dissenting facts and opinions that were available to administration officials. They got Iraq wrong, and did so for the reason that has been repeatedly pointed out by a range of observers, from former Treasury Secretary Paul O'Neill to the victims of Hurricane Katrina: this administration does not do its homework, does not systematically analyze the available information, and consequently makes poorly informed decisions. In short, the Bush administration is incompetent.

CHARLIE MILLS
Seattle, Washington

TO THE EDITOR:

For Norman Podhoretz to criticize the Democrats who are trying to discredit the Bush team and to redefine their own pre-war positions is fair. My problem with his article lies in the disconnect between the due diligence he attributes to the Bush team's gathering of pre-war intelligence and its actual execution of the war. Why was that due diligence not apparent in the deployment of larger numbers of American troops, in providing them with the right equipment, in postwar contingency plans, and so on?

If the Bush team had prepared adequately, there would be less reason to write articles defending its conduct of the war. Mr. Podhoretz's consistent, uncritical support for an administration whose record begs for honest appraisal is disheartening.

BESTON JACK ABRAMS
Trenton, New Jersey

TO THE EDITOR:

The basic theme of Norman Podhoretz's article is that President Bush did not *deliberately* mislead the American people about Iraq. Mr. Podhoretz does not attempt to prove that Bush did not, in fact, mislead the American people, however innocently. One is left wondering if Bush would have gone ahead had he anticipated more than 2,000 soldiers killed and a protracted insurgency.

Mr. Podhoretz closes by assuring us that the war is being won. I pray that he is right.

DONALD FELDSTEIN
Teaneck, New Jersey

TO THE EDITOR:

Norman Podhoretz makes a strong argument condemning Democrats who have flip-flopped on the war in Iraq, but he seems to have forgotten that the Bush administration was fixated on Iraq from the beginning of its first term. The President raised the issue of revenge in comments about Saddam's attempt to assassinate his father after the first Gulf war. The administration also tried to persuade us that terrorists were operating inside Iraq prior to the war. There was even talk of an Iraq-9/11 connection. Bush himself may not have lied, but his administration should have been more cautious and in less of a hurry to send others into war.

MICHAEL PARKER
Washington, D.C.

TO THE EDITOR:

Thank you for the wonderful addition to Norman Podhoretz's previous "World War IV" articles. I find that one of the common, unchallenged arguments from the Left is the accusation that Iraq was not an "imminent threat." I like to remind war critics that the Department of Defense under President Clinton believed that Iraq's WMD were a growing threat, so much so that in January 2001, outgoing Secretary of Defense William Cohen left a report for President Bush stating: "Iraq retains the expertise, once a decision is

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made, to resume chemical-agent production within a few weeks or months, depending on the type of agent."

HEATHER RUEHL
Chicago, Illinois

TO THE EDITOR:

Norman Podhoretz's article might have included some salient remarks made by former President Bill Clinton in a 2003 interview with Larry King. They are particularly troublesome for Democrats seeking to accuse the Bush administration of lying about Iraq's WMD. As Clinton said, "It is incontestable that on the day I left office, there were unaccounted-for stocks of biological and chemical weapons. We might have destroyed them in '98. We tried to, but we sure as heck didn't know it because we never got to go back in there."

GARY HALL
Los Angeles, California

TO THE EDITOR:

I do not have the words to say how cheered I was by Norman Podhoretz's recent article, a fantastic summary of who said what about the Iraqi threat prior to the U.S. invasion. Not only does it debunk the allegations of lying by the Bush administration, it shows how biased and hypocritical the Bush critics really are.

Politics is one thing, national security another. I cannot for the life of me understand how a person holding national office or having a national voice in the media could distort the evidence on such an important issue. Thank God we have a few cool and thoughtful observers who can state things objectively.

The only thing I would have added to Mr. Podhoretz's article was an explanation of the Iraq Liberation Act of 1998, signed into law by President Clinton. It clearly stated that Saddam was a threat to the United States. How anyone could have voted for that legislation and now backtrack on armed intervention is an enigma wrapped in a mystery.

RICHARD JONES
Gainesville, Florida

TO THE EDITOR:

Let us assume for the sake of argument that Bush did lie; that he knew there were no WMD in Iraq. He would also have known that, sooner or later, this fact would be discovered. Can anyone suppose he would have thought that the media and the Democrats would give him a pass? To ask the question is to answer it.

THOMAS LETCHFIELD
Palo Alto, California

TO THE EDITOR:

Several decades ago, Richard Rovere wrote a seminal book on the Army-McCarthy hearings in which he addressed the concept of the "Big Lie," showing how a falsehood repeated again and again could by fatigue alone come to be accepted as the truth.

Norman Podhoretz has now exposed such lies, but in my opinion he might as well be Socrates trying to reason with the Athenian mob. Gone now is adherence to Senator Arthur Vandenberg's admonition that politics should stop at the water's edge. Today, everything is for the moment. Failed politicians make speeches overseas and in Iraq itself denouncing their own country. As Senator Joseph Lieberman recently warned, the war in Iraq may be won on the battlefield but, as with Vietnam, lost in Washington.

FREDERIC WILE
New York City

TO THE EDITOR:

The article by Norman Podhoretz is one of the most cogent I have read in a long time. What passes for the "loyal opposition" in the U.S. has long since dropped any pretense of reasoned political discourse. We now are treated to a diet of shrill, strident, and outrageous sound bites, predictably packaged by a press corps lacking even the façade of independence.

J. PAUL GIULIANI
Montpelier, Vermont

TO THE EDITOR:

The extensive documentation Norman Podhoretz has assembled should put to rest forever any notion that the President deliberately lied about the state of Iraq's WMD program in the run-up to the war. But of course it will not.

Bush's opponents intend to de-legitimize the war—and his presidency—by any means necessary. In that ongoing campaign, mere facts do not matter. And so we have a relentless series of manufactured "scandals"—the Abu Ghraib orgy, the Cindy Sheehan carnival, the Joseph Wilson/Valerie Plame charade, the Scooter Libby indictment—each exploited for weeks until it has run out of steam or collapses of its own accord and it is time for the next. But the hardy, indestructible perennial is the "Bush lied" refrain. It was there from the beginning, and returns, it seems, whenever there is a momentary pause in the media hype.

ROBERT L. MARSHALL
Newton, Massachusetts

TO THE EDITOR:

Thank you for Norman Podhoretz's refreshing article on the calculated amnesia among certain American politicians as to why the U.S. is in Iraq. Many of us outside the U.S. fully subscribe to his analysis. Prior to the invasion, no Western nation disputed the intelligence on which the war was based, which only shows how far a dictator can get before rightly getting trapped in his own cruel fantasies.

What I find worrisome is that freedom of the press in the U.S. has become a euphemism for a press acting like a political party, publishing only news that agrees with its agenda. It seems that balanced, carefully examined, independent news is nowhere to be found. Only the scoop matters, and only if it matches the prevailing sentiment. Lost in all this is the fact that America's foreign policy, while hard-nosed and pragmatic, is essentially enlightened and noble.

ANTHONY STEYNING
Malaga, Spain

TO THE EDITOR:

Thank you for Norman Podhoretz's article. As a career military-intelligence officer with two deployments to Iraq, I can say that the most frustrating thing I have experienced in almost 20 years of service has been the cloud of lies surrounding the war, and the apparent willingness of so many people to believe them, despite all contrary evidence.

I do not mind deploying—leaving behind my

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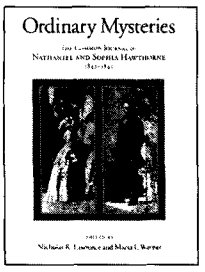


Ordinary Mysteries: The Common Journal of Nathaniel and Sophia Hawthorne, 1842-1843

Nicholas R. Lawrence and Marta L. Werner

From the summer of 1842 through the fall of 1843, Nathaniel and Sophia Hawthorne kept a common journal of their daily lives in a notebook currently housed in the Pierpont Morgan Library. Intended solely for their own eyes, the journal records the ordinary events and activities that occupied the Hawthornes as newlyweds: walks through the countryside around Concord, appraisals of their new home, encounters with neighbors (among them Emerson, Fuller, and Thoreau), descriptions of the weather and the changing seasons—all material that Hawthorne would later draw on for the preface to his second collection of tales, *Mosses from an Old Manse* (1846). Its most persistent note, however, is the mutual expression of marital happiness. For over a century the journal has been available in published form only as a mutilated text, edited initially by Sophia, who divorced Nathaniel's entries from her own and presented them as extracts from his solo notebooks. *Ordinary Mysteries* makes available for the first time a full facsimile edition of the journal, preserving the interplay of the Hawthorne's collaboration and revealing the censorship executed by Sophia on the manuscript after Nathaniel's death.

Vol. 256 0-87169-256-2 / 978-0-87169-256-6 $75.00
Printed January 2006

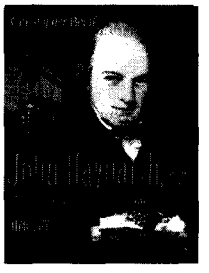
Emil von Behring

Infectious Disease, Immunology, Serum Therapy

Derek S. Linton

In 1901 Emil von Behring received the first Nobel Prize in medicine for serum therapy against diphtheria, a disease that killed thousands of infants annually. Diphtheria serum was the first major cure of the bacteriological era and its development generated novel procedures for testing, standardizing, and regulating drugs. Since the introduction of antibiotics Behring and his work have largely been forgotten. In the first English-language scientific biography of Behring, Derek S. Linton emphasizes Behring's seminal contributions to the study of infectious diseases, the formation of modern immunology and innovative research on specific remedies, and vaccines against deadly microbial infections. This biography explores his complex relations to the rival bacteriological schools of Robert Koch in Berlin and Louis Pasteur in Paris, the emergent German pharmaceutical industry, and the institutionalization of experimental therapeutic research. The second part of the volume contains translations of thirteen key articles by Behring and his associates on infectious diseases, immunology, drug testing, and therapeutics spanning thirty years of his remarkable scientific career.

Vol. 255 0-87169-255-4/978-0-87169-255-9 $65 Printed September 2005



John Haygarth, FRS (1740–1827): *A Physician of the Enlightenment*

Christopher Booth

John Haygarth, MD, FRS (1740–1827) hailed from an obscure valley in the Yorkshire dales in the north west of England. Educated at Sedbergh School, Cambridge, and Edinburgh, he became a physician in Chester in 1767. There he introduced separate wards in the Chester Infirmary where patients with fever could be isolated and cared for. It was the stimulus for the development of the fever hospitals of nineteenth-century England. Haygarth moved to Bath in 1798, where he continued to write on medical matters. He also played a major role in the foundation of the Bath Provident Institution for Savings, a model for the savings-bank movement in England.

Vol. 254 0-87169-254-6/978-0-87169-254-2 $60 Printed July 2005

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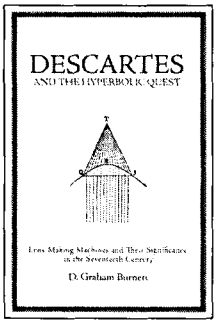
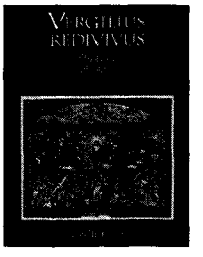


Descartes and the Hyperbolic Quest: Lens Making Machines and Their Significance in the Seventeenth Century

D. Graham Burnett

"...if you have a year or two to apply yourself to all that is necessary, I would hope that we might see, by your efforts, if there are animals on the moon..." With this alluring suggestion, penned in the autumn of 1629, René Descartes enticed a young provincial artisan to undertake an unprecedented and secretive project, one that promised to revolutionize early modern astronomy. Descartes believed he had conceived a new kind of telescope lens, shaped by the light of reason itself, and cut by an elaborate machine, a self-regulating and automatic device capable of bringing crystalline geometry to the muddy earth. This study traces the inception, development, and finally the collapse of this ambitious enterprise, which absorbed the energies and attentions of a broad range of seventeenth-century savants, including Huygens, Wren, Hevelius, Hooke, and even Newton. Examining in detail the making of lenses over a vitally significant century, *Descartes and the Hyperbolic Quest* sheds light on the history of telescopes in a tumultuous period, on the changing relationship between instrument makers and mathematical adepts, on the mechanical philosophy and its machines, and finally on the life and thought of Descartes himself.

Vol. 95, Pt. 3 0-87169-953-2 $24 Printed October 2005



Vergilius Redivivus

Studies in Joseph Addison's Latin Poetry

Estelle Haan

Virtually ignored by modern scholarship, Addison's Latin verse has failed to receive the critical attention it deserves. Addison's current reputation rests almost exclusively on his role as the accomplished essayist of the *Spectator* and *Tatler* papers, as the author of the drama *Cato*, and as the composer of a body of minor English verse. Estelle Haan examines the intricate inter-textual relationships between some of Addison's neo-Latin poems and the poetic corpus of one Augustan poet: Virgil (in particular, the *Georgics*).

Vol. 95, Pt.2 0-87169-952-4 $24 Printed June 2005

The Opening of the Maritime Fur Trade at Bering Strait

Americans and Russians Meet the Kanigmiut in Kotzebue Sound

John R. Bockstoce

The maritime fur trade was an important commercial force in the Bering Strait region from the early nineteenth century until to outbreak of the Second Word War; nevertheless, its origins are not well understood. Two important documents—which have received little scholarly attention—shed considerable light on the genesis of this trade. These manuscripts describe the voyages of the American trading brigs General San Martín in 1819 and Pedler in 1820, and they provide valuable information on the complicated relationships that existed between the American maritime traders and the Russian officials in Kamchatka and Alaska, as well as with the inhabitants of the Bering Strait region in the first quarter of the nineteenth century.

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wife and small children—or whatever small risks I incur, because, measured against the good we are accomplishing, my inconvenience is a small thing. But it is discouraging to come home and find so many people who are so passionately wrong about why we went to Iraq in the first place. Mr. Podhoretz's article is a great source of encouragement and a ready supply of ammunition for debate.

MAJOR STEVEN A. GIVLER
U.S. Air Force
Carmel, California

NORMAN PODHORETZ writes:

Matthew Foley accuses me of "defining deceit down." But this, of course, is precisely what he himself, and most of my other critics—in a textbook example of projection—are trying to do. Thus, confronted with the overwhelming evidence that President Bush was convinced that Saddam Hussein possessed an arsenal of weapons of mass destruction and that he therefore did not lie in telling us so, they immediately seek refuge in softer but no less dishonest formulations of the same accusation. Mainly, the fallback formulations boil down to saying that while Bush and his people may not, in the strictest sense, have lied, they still created a false impression by deliberately misconstruing and/or misrepresenting the intelligence they received (and Lee Reich says much the same thing against my own reading of the evidence).

Now I must confess that I could hardly believe my eyes when I first read Mr. Foley's statement that the information on which the Bush administration based its claims about WMD was judged by "most U.S. intelligence experts" to be "unreliable." (I had a similar reaction upon learning that John H. Bunzel knows of "no Democrat . . . in Congress" who has accused Bush "of outright lying or of fabricating pre-war intelligence.") Quoting Mr. Foley's statement now, I again rub my eyes in disbelief. For, to repeat what I wrote in my article, the plain and incontrovertible fact is that *all fifteen agencies* involved in gathering intelligence for the United States, after considering the few reservations and qualifications expressed by this or that member, reached a consensus—and with "high confidence" no less—that Iraq was "continuing, and in some areas expanding its chemical, biological, nuclear, and missile programs contrary to UN resolutions." Furthermore, the intelligence agencies of Britain, Germany, Russia, China, Israel, and France *all* concurred in this conclusion. Nor was it challenged by the equivocations of Hans Blix.

Pause, then, for a minute and think what the critics are proposing: that the President of the United States, instead of making a decision by going with the best information he had, should have paralyzed himself by giving greater weight to the doubts of a few dissenters than to the combined judgment of all the intelligence agencies for which these dissenters worked. This is so preposterous an idea that in a saner political climate no rational person would dream of advancing it.

In addition to defining deceit down, the critics resort to the tactic of changing the subject. Defeated on the question of "who is lying about Iraq?," they immediately retreat to a host of different ones, like "why war?" and "why then?" Yes, some of them acknowledge, Bill Clinton and most other Democrats had warned in ominous terms of the threat posed by Saddam Hussein, and had contemplated military force against him, but (as the blogger James Lileks once mockingly paraphrased the kind of argument made here by Michael Starr) at least Clinton never *did* anything about it.

In line with this attitude, the critics also believe that toppling Saddam Hussein was not a good thing—though nary a one of them is either honest or courageous enough to put it so clearly. Nor do they believe that we are winning—or that we can win—the struggle to make Iraq (in Mr. Foley's words) "secure and democratic, . . . a model for the Middle East, and a landmark for U.S. foreign policy."

Yet thanks to the toppling of Saddam Hussein, Iraq is well on its way to becoming just that. Within an amazingly short time, three elections have been held, a constitution has been written, and a government has been formed; great strides have been made in rebuilding the economy and the infrastructure; giant steps have been taken in creating such institutional foundations of a democratic society as a free press; and with every passing day the Iraqis are becoming more and more capable of assuming responsibility for their own security.

Having extensively documented all this in a follow-up article entitled "The Panic Over Iraq" (January), I trust that I need not go over the same ground again here. And so I will conclude by expressing my gratitude for the thoughtful and generous comments of Heather Ruehl, Gary Hall, Richard James, Thomas Letchfield, Frederic Wile, J. Paul Giuliani, Robert L. Marshall, Anthony Steyning, and Steven A. Givler.

"Good Jews"

TO THE EDITOR:

I would like to respond to Emanuele Ottolenghi's article, "Europe's 'Good Jews'" [December 2005]. Mr. Ottolenghi and I are colleagues at the Middle East Center at St. Antony's College, Oxford University, an institution renowned for pluralism, diversity of views, and vigorous debate—just like the country of Israel. But while debate is always welcome, ad-hominem attacks are not. Sadly, Mr. Ottolenghi's article is full of sweeping generalizations, distortions, and ad-hominem comments. As a result, it generates more heat than light.

Mr. Ottolenghi's entire argument rests on a fallacy—the conflation of anti-Zionism with anti-Semitism. To argue that the former necessarily involves the latter goes against the values that most academics in Europe and Israel hold dear: free thought, free speech, and a free society. It is a form of moral blackmail on the part of those who want to silence any criticism of Israel's policies.

The very title of Mr. Ottolenghi's article is offen-

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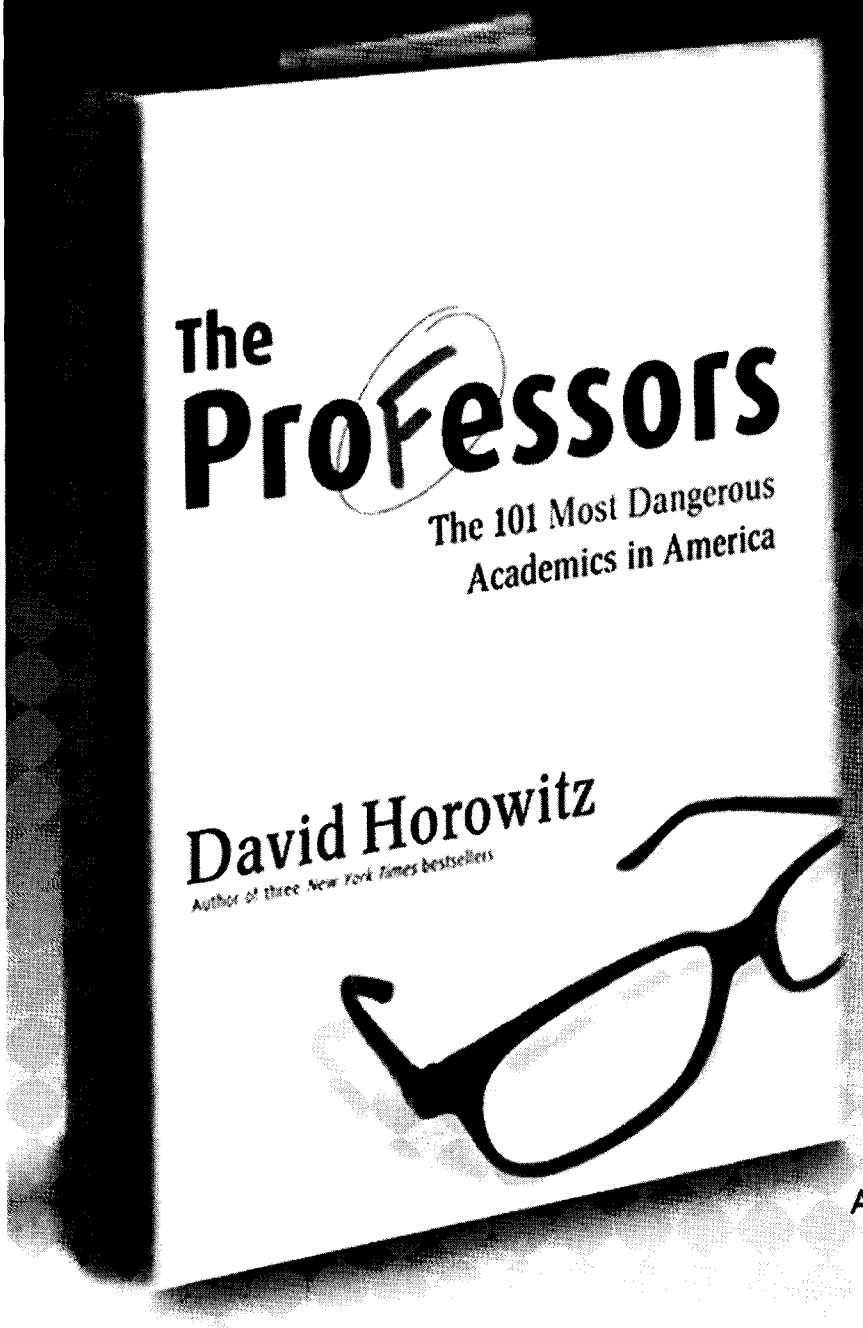
"While mediocrity and incompetence have always had a place in the academic world, never before in the history of the modern research university have entire departments and fields been devoted to purely ideological pursuits. Nor has overt propagandizing had such a respected and prominent place in university classrooms. Even more disturbingly, the last few decades mark the first time in their history that America's institutions of higher learning have become a haven for extremists."
—The Professors



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"[illegible] a common and influential [illegible] on college and university [illegible] in the United States. *The Professors* should be read by every college administrator and every scholar who is concerned about the abuse of university classrooms and the debasement of academic standards by faculty activists."

—Candace de Russy, Trustee, State University of New York

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sive, as it is no doubt intended to be. But it is odd to label Jews as "good" or "bad" based on their views of the state of Israel. It also runs counter to an old Jewish tradition of political dissent, of which I am proud to be part. By arguing that to criticize Israel is to aid and abet anti-Semitism, Mr. Ottolenghi reveals his own totalitarian conception of what it means to be Jewish. The logic of his argument boils down to "my country, right or wrong." This does not place him in a strong position to engage in rational discussion of Israel's policies toward the Arabs.

Mr. Ottolenghi misrepresents my own position at every turn. He can include me in his preposterous category of Europe's "good Jews" if it pleases him, but I am an Israeli who lives and teaches in England. My academic discipline is international relations, and my principal research interest is the Arab-Israeli conflict. Contrary to what he writes, I have not "responded to the latest assault on the Jewish people by excusing it, justifying it, and in effect joining it." Nor do I regard it as my "specifically Jewish duty to denounce Israel"; I approach my work as a scholar, not as a member of a religion or tribe. Mr. Ottolenghi alleges that I have based my academic career on "implacable anti-Zionism." I like to think that my academic career has been based on extensive archival research and on the careful use of primary sources in both Hebrew and Arabic.

It is not at all clear on what basis Mr. Ottolenghi would deny me the right to criticize Israel's policies toward the Arabs apart from his dislike of my views and his implicit assumption that Israel is above criticism because it is a Jewish state. But the fact remains that I grew up in Israel, served in the Israel Defense Forces, played an active part in the debate about Israel's past, and recently brought out a Hebrew edition of my book, *The Iron Wall: Israel and the Arab World*. My right to criticize Israel is no greater but no smaller than that of anyone else.

My views are really quite simple and nowhere near as sinister as Mr. Ottolenghi would have one believe. To use his own sophisticated categories, I regard Israel as good and the occupation as bad. I regard Israel within the pre-1967 borders to be completely legitimate; what I object to is the Zionist colonial project beyond the Green Line. I have been a consistent supporter of the Oslo Accords, and I remain a proponent of a two-state solution. I am critical of the policies of the present Israeli government precisely because they undermine the basis for a two-state solution. If these views make me anti-Semitic, then so be it.

AVI SHLAIM
St. Antony's College
Oxford, England

TO THE EDITOR:

Emanuele Ottolenghi writes that "a core component" of Jewish identity is Jews' "sense of Jewish peoplehood as expressed through their attachment and commitment to the democratic state of Israel and to the Zionist enterprise." Such a linking of the Jewish community to the realities and destinies of a particular country is problematic.

When the idea of Jewish peoplehood was first proposed in the American context, most notably by Mordecai M. Kaplan in the 1930's, there was no state of Israel to prevent the realization of Jewish identity within the framework of American citizenship. American Jews wanted to be recognized by others as fellow Americans. Today, by contrast, the dual loyalty that Jews were once accused of is proudly proclaimed by Zionists as a virtue. The commitment of American Jews to Israel has evidently emerged as a sine qua non of Jewishness itself.

As an American Jew who has no problems with his Jewish identity but also no interest in the Zionist enterprise, I find this hijacking of the American Jewish cause both offensive and ominous. Jews who want to support Israel are free to do so and to identify themselves as Zionists; Jews who want simply to be Americans should also be free to express that identification without being dragooned into support for a foreign country. May one not feel solidarity with one's fellow Jews in Israel without feeling loyalty to the Jewish state or the Zionist enterprise?

HOWARD KAMINSKY
Ocean Ridge, Florida

TO THE EDITOR:

In criticizing British parliamentarian Oona King for speaking of her "personal 'shame' as a 'Jewish person'" over Israel's Nazi-like treatment of Palestinians, Emanuele Ottolenghi notes parenthetically that King's father is Jewish. If he cannot even get right the much publicized fact that it is King's mother who is Jewish (her father is an African-American civil-rights activist), his opinions do not inspire much confidence.

OWEN BEITH
London, England

TO THE EDITOR:

The former British M.P. Oona King is right to call herself a "Jewish person"; her mother is Jewish. But her prostitution of her Jewish background to vilify Israel was widely seen as an act of political opportunism rather than as ideologically inspired. A member of parliament who represented the constituency with the largest proportion of Muslims in the United Kingdom, she was seeking to appease an electorate that was enraged over her support of the invasion of Iraq.

As a tactic, King's slandering of Israel turned out to be in vain. At the general election last spring, she was ousted by the rabid anti-Zionist demagogue George Galloway.

ALEXANDER MASSEY
London, England

TO THE EDITOR:

Emanuele Ottolenghi deserves high praise for his remarkably insightful essay on Jewish calumniators of the Jewish state. Alas, this disturbing phenomenon is by no means confined to Europe.

In North America, haters of Israel in search of "good Jews" to ratify their prejudices have no difficulty finding suitable candidates, as Edward Alexander and I document in a forthcoming book, *The Jewish Divide Over Israel*. They can invoke the authority of world-famous MIT linguist Noam Chomsky, who wrote that "Hitler's conceptions have struck a responsive chord in current Zionist commentary." They can turn to Norman G. Finkelstein of

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- Second, arguments fall into a handful of distinct categories—and the same issues are at stake each time one of these patterns occurs.
- Third, there are six kinds of evidence that can be advanced to prove an argument that something is true—and the same tests for truth can be applied to these types of evidence every time.

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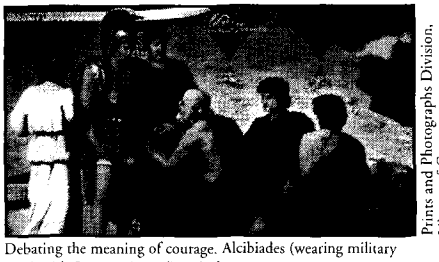

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Debating the meaning of courage. Alcibiades (wearing military garb) with Socrates (seated) and Plato.

- Fourth, argumentation is not mere quarreling: it is the study of human communication that seeks to persuade through reasoned judgment, and it is a deeply social and cooperative practice. (Although there are times when winning an argument rather than finding the truth is prized, that is not why most of us exchange arguments.)

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Dr. Zarefsky is the Owen L. Coon Professor of Argumentation and Debate and Professor of Communication Studies at Northwestern University, where he has taught for more than 30 years. The Student Government of Northwestern has elected Professor Zarefsky to the Honor Roll for Teaching 13 times.

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DePaul University, who proclaimed that Israeli Jews are a "parasitic class." Or they can seek reassurance in the sentiments of Michael Neumann, a philosopher at Trent University in Ontario who admits not caring if an effective campaign against Zionism entails "encouraging vicious, racist anti-Semitism, or the destruction of the state of Israel."

Aspiring bigots can also take up the slanders that go forth from Zion itself. From the late Israel Shahak, who taught at the Hebrew University of Jerusalem, they can learn that "Israeli Jews, and with them most Jews throughout the world, are undergoing a process of Nazification" and that "Jewish terror is very kosher in the U.S.A." From Tel Aviv University's Ran HaCohen they can discover that Israeli military tactics reflect "Hitler's concept of war for annihilation."

With a little effort, they can trace this poisonous language back to Martin Buber, who in an essay, "Old Zionism and Modern Israel," lamented that "the majority of the Jewish people preferred to learn from Hitler rather than from [the advocates of a binational Palestine]. Hitler showed them that history does not go the way of the spirit but the way of power, and if a people is powerful enough, it can kill with impunity as many millions of another people as it wants to kill."

With "good Jews" like these, who needs anti-Semites?

PAUL BOGDANOR
London, England

TO THE EDITOR:

Thank you very much for Emanuele Ottolenghi's informative if disturbing article. I have been struggling for decades to understand the reasons for the anti-Zionism of some of my fellow Jews, and have never quite gotten a handle on it. When I have asked some of these Israel-repudiating Jews why they disdain Israel so much, the answers have been evasive or illogical or conspicuously wrong on the facts.

Mr. Ottolenghi's article offers a plausible explanation as far as European Jews are concerned, but societal pressure seems less of a force operating on Jews in the U.S. Here, Jews who are anti-Israel are not giving in to pressure to renounce Jewish peoplehood; rather, they are trying to create it.

JAMES MICHAEL PRICE
Herndon, Virginia

TO THE EDITOR:

Emanuele Ottolenghi's article is a lucid analysis that shows us how we are, in a sense, re-living the 1930's. In select archives, there are letters from German Jews of that time telling fellow Jews in America and elsewhere that Hitler was misunderstood, his policies were not "that bad," and that coexistence was possible, if only the Jews (and others) lowered their rhetoric and "changed." The fearful, self-doubting, and even self-hating Jew has never vanished, and is ready to reappear at any historical inflection point or period of crisis. One has only to review the current situation in Israel to see that accommodation—even elective "conversion" to "dhimmi" status—is not a phenomenon limited to Jews of Western Europe.

HAROLD BERNARD REISMAN
Carlsbad, California

EMANUELE OTTOLENGHI writes:

Avi Shlaim accuses me of "moral blackmail," of trying to "silence" him and "deny" him his "right" to speak. This is risible. I am so far unaware that the *Guardian*, the *Observer*, and other distinguished publications have stopped hiring his pen on account of anything I wrote; nor is his tenure at Oxford endangered by my having dared to criticize his ideas. To the contrary, it is typical of Mr. Shlaim that, instead of addressing the substance of what I wrote, he responds by in effect accusing *me* of McCarthyism, of violating "the values . . . [of] free thought, free speech, and a free society." Who, then, wishes to silence whom?

According to Mr. Shlaim, my "entire argument" rests on a fallacious "conflation of anti-Zionism with anti-Semitism." In fact, nowhere do I assert that criticism of Israeli policies is equivalent to anti-Semitism. Nevertheless, there is criticism and then there is criticism, and Mr. Shlaim, despite protesting here that he views "Israel as good and the occupation as bad," has consistently shown himself incapable of stopping short of the most sweeping denunciations not only of Israel itself, occupation or no occupation, but of the entire Zionist project. Examples include his recent statements that "Zionism today is the real enemy of the Jews," that "the essence of Zionism is territorial expansion," and that Israel's response to the second *intifada* was a "savage colonial war"; his support for a 2002 boycott of Israeli products; and his summary of his own professional task in these words: "the historian is a judge, and above all a hanging judge. And therefore I sit in judgment on Israeli leaders."

Mr. Shlaim objects to my grouping him among those "good Jews" who regard it as their "specifically Jewish duty to denounce Israel." He need not be so shy. Like many of his fellow travelers, Mr. Shlaim has been generous with the details of his own biography, flourishing his authority, as an Iraqi-born Jew, to speak on all matters having to do with Israel and Zionism. Thus, in an interview with the Israeli daily *Ha'aretz*, he stated that since childhood he viewed the founding of Israel as "an Ashkenazi trick," one that forced Jews to leave the Arab countries where they had long felt perfectly at home: "There weren't real problems between Jews and Arabs until the state of Israel was established." His nostalgia for a mythical state of Arab-Jewish harmony preceding the rise of Zionism and Israel is enough in itself to call into question his claim as a scholar to follow an objective, nuanced, and document-based approach to history.

I am not sure what Mr. Shlaim has in mind in attributing to me a "totalitarian conception of what it means to be Jewish." (He has similarly accused Efraim Karsh of promoting a "totalitarian conception of history.") His conception of his own Jewish identity seems to involve waving his Israeli passport in public whenever that suits his polemical convenience while at the same time emphasizing other "identities," including that of an "Arab Jew" (a made-up term never used by either Jews or Arabs and

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A message from Ronald S. Lauder

A little more than a year ago, Jewish National Fund embarked on a challenge, a long-term vision: developing the Negev into a hospitable, habitable, profitable environment that would become home to an additional 250,000 people.

Blueprint Negev is not a mirage, it is a vision becoming a reality – with seven new communities created, hundreds of families moved to the Negev, and new job opportunities.

JNF's **Blueprint Negev** initiative is essential to Israel's future. The Negev represents 60% of Israel's landmass, but only 8% of its population lives there. Overcrowding and a strain on resources in the center of the country – 92% of Israel's population resides on 40 % of Israel's land – further underscore the importance of this plan. Additionally, there are an estimated 170,000 Bedouin in the Negev whose population is expected to double in the next seven years. But their educational and medical standards are very low and unemployment hovers at 90%. Opening up the Negev economically will positively impact their future as well. This is a vision for all of Israel.

Carmit, a planned community for new immigrants

Blueprint Negev builds on the extensive work already achieved by KKL/JNF. Over 30 JNF reservoirs already in the Negev translate into 10 billion gallons of water. In Beersheva, new housing and large parks are being built. Together with the Beersheva Foundation, KKL/JNF and the Or Movement are creating a $300 million consortium of projects that will transform Beersheva into a bustling metropolis.

JNF, together with the **Or Movement**, has established the Negev Central Information Center, which gathers up-to-date data on communities, job opportunities, housing, and education. Already, 10,000 names of Israelis interested in moving to the Negev are in our central database and we have identified 960 new employment opportunities in the Negev. Today, our vision is turning into a reality.

Blueprint Negev allows us to be 21st century pioneers and to once again be part of a nation under creation. Twenty-five communities are planned; seven are already established. Residents of Sansana, Harouv, Shomria, Givot Bar, Be'er Milka, Kmehin, and Merhav Am, the newly established communities, give testament to these ideals. Our Economic Development Fund helps them finance the move. Our involvement shows our partnership.

FORESTRY • WATER • COMMUNITY DEVELOPMENT • SECURITY
EDUCATION • RESEARCH • TOURISM & RECREATION • ECOLOGY

Blueprint Negev answers the need for Jews in the Diaspora looking to make aliyah the pioneering way. **Nefesh B'Nefesh** has been very successful in bringing highly qualified North American immigrants to Israel, yet many settle in established communities, seeking an English-speaking population. We are working with them to set up English-speaking communities in the Negev, such as Carmit, and allow the Diaspora Jew to change the quality of life and image of the Negev. It doesn't get more pioneering than that.

At Ramon Air Force Base, whose home is already in the Negev, congregations across the U.S. are participating in a $10 million initiative to build a central park with a 3,000-seat amphitheatre and recycled water reservoirs. If your congregation has not yet signed on, be a part of history.

Together with **Aleh Negev**, we are building a 25-acre, world class, residential rehabilitative village, to provide services to the entire Negev population which suffers from a tremendous shortage of paramedical, therapeutic, and special education services. The Aleh Negev project will serve as home to more than 200 adults with disabilities – meeting their needs throughout their lives – and will serve an additional 12,000 disabled children and young adults each year as outpatients. This project, situated near Ofaqim, will bring 3,000 new jobs to the area.

Tourism, which will bring even more employment opportunities, features heavily in our blueprint. Our plans include building a new bike path in the Southern Arava, with bike rental stations and refreshment centers.

Young families are calling the Negev home

Bird watchers from around the world will flock to Israel, following the migrations of millions of birds, from world-class centers ih Eilat, up to Kibbutz Lotan then north to the Hula Valley.

All of these are examples of our Negev Plan in action, bringing people to the Negev, and creating jobs that will transform the Negev into a desirable place to live. Our plan encompasses so many projects: building new communities, revitalizing established towns and cities, bolstering services and opportunities throughout the region, improving quality of life, and making all this possible by building vital reservoirs. Singly, they are just projects; together, they form a vision. The **Blueprint Negev** vision.

Sincerely,

Ronald S. Lauder, President, Jewish National Fund
email: RLauder@jnf.org

P.S. To get a free DVD visit **www.jnf.org/dvd** or to learn more visit **www.jnf.org** or call **888-JNF-0099.**

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only recently surfacing in post-Zionist jargon). In January 2003, he proclaimed before a university audience that he was an "honorary Jordanian citizen" who was "very worried," on behalf of his "adoptive country," that Ariel Sharon might seize the occasion of America's invasion of Iraq to "ethnically cleanse" the West Bank.

No doubt all of this is consistent with Mr. Shlaim's notion of "an old Jewish tradition of political dissent, of which [he is] proud to be part." This, one gathers, is the same "tradition" that has much to say about the manifold alleged crimes against justice and human rights perpetrated by the likes of the United States, Great Britain, and Israel but falls demurely silent in the face of Palestinian terrorism or Saddam Hussein. There is indeed such a Jewish tradition, and it formed the subject of my article. In confirming his "pride" at belonging to it, Mr. Shlaim helps make my point.

Howard Kaminsky finds "problematic" my assertion that "a core component" of Jewish identity is the "sense of Jewish peoplehood as expressed through [the Jews'] attachment and commitment to the democratic state of Israel and to the Zionist enterprise." To say that Israel is today a core component of Jewish identity is a simple statement of fact; as surveys repeatedly show, most Jews in the U.S. (as throughout the Diaspora) support it politically and are concerned with its well-being. Moreover, they see no conflict between that support and their identity as Americans. This hardly means that every Jew is or must be a Zionist in the narrow political sense. (As for Zionism in the religious sense, namely, the attachment to and longing for a return to, precisely, "the realities and destinies of a particular society," that is as old as Judaism itself.)

Ironically, the centrality of Israel to Jewish identity is nowhere more evident than among those Jews who choose to embrace an *anti*-Zionist worldview. These tend to define their Jewish identity almost entirely through their often compulsively stated dissociation from the Jewish state. In my article I cited former British M.P. Oona King as an example. I thank Owen Beith and Alexander Massey for correcting me about her parentage, but my error does not affect my main point—namely, that King exploited her Jewish origins in attacking Israel.

Paul Bogdanor's forthcoming book with Edward Alexander is a welcome addition to a debate far too long defined by one side. In their self-righteousness as prophets of Jewish authenticity, detractors of Israel have turned discourse into a monologue of indictment, playing to the hilt the role of, in Avi Shlaim's self-gratulatory words, "hanging judge." It is time to reclaim the moral high ground.

My thanks to James Michael Price and Harold Bernard Reisman for their kind comments.

New Orleans

TO THE EDITOR:

Wilfred M. McClay is certainly right to urge the nation to embrace a "sober and disinterested realism" as it considers how best to rebuild the drowned city of New Orleans ["The Storm Over Katrina," December 2005]. And we would agree that the "fractious atmosphere of contemporary American public discourse" has not always served that ideal.

But in his desire to dispel the "sensationalism" of post-storm criticism of the Bush administration, Mr. McClay omits several important aspects of the disaster that are essential for understanding what went wrong and how to improve on it.

First, Mr. McClay is far too quick to absolve the administration of significant blame for exacerbating the humanitarian crisis. Undoubtedly, much responsibility for the bungled initial evacuation and emergency response rests with beleaguered state and local officials. But it must be said that White House decisions greatly worsened—and made far more costly—the gargantuan housing crisis that ensued after the storm and that continues today.

Most notably, the administration's refusal to issue emergency housing vouchers and its stubborn insistence on trying to house up to 125,000 evacuees in trailer homes was anything but realistic. That policy shunted aside a proven, flexible, and dignified way to respond quickly to need while respecting the choices of the displaced. It also ignored the fact that trailers are not only hard to requisition in a timely manner but also difficult to site and fantastically expensive. In fact, at a projected cost of $4.6 billion, the slow-moving trailer option has tied up more than half of the nation's spending to date on longer-term housing for evacuated households. Moreover, no more than 60,000 households actually reside in trailers today, four months after the catastrophe. By contrast, more than 680,000 evacuated households are currently receiving rent subsidies and other forms of lower-cost housing assistance at a projected cost of just $3.6 billion.

A more important omission from Mr. McClay's discussion is any account of the long-term complicity of the federal government (under both Republican and Democratic administrations) in creating the conditions in New Orleans that led to disaster. As we document in a recent report, "New Orleans After the Storm: Lessons from the Past, a Plan for the Future":

- Federal policies placed massive public-housing blocks in some of the most flood-prone sections of the city, helping to concentrate blacks and poor people in harm's way.
- Federal highway spending pushed suburban sprawl into flood-prone wetlands along lakefront Orleans and Jefferson Parishes.
- Federal flood-control spending on levees, storm walls, and insurance programs conveyed a message of safety that encouraged more people to settle in dangerous areas.
- Federal manipulation and development of the larger Mississippi Delta, along with Washington's bias for structural solutions, almost certainly increased New Orleans's vulnerability by degrading the natural buffering

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potential of the larger ecosystem.

In this connection, we would say that "realism" about Katrina requires realism about its deeper sources.

Wilfred McClay has rendered a service in reminding the nation of the need for honesty and self-criticism about its policy choices as reconstruction moves to the forefront. Let us hope that such honesty will extend to promoting more inclusive and sustainable redevelopment in the Crescent City.

BRUCE KATZ
MARK MURO
Brookings Institution
Washington, D.C.

TO THE EDITOR:

My friend and former New Orleans-area neighbor Wilfred M. McClay calls for "sober and disinterested realism" in discussions about the future of New Orleans—and for the most part he himself shows it, unpacking the post-hurricane hysteria in the press, the ill-informed racial accusations by politicians, and the city's peculiar myths about itself. But when he turns to the future, he becomes speculative rather than realistic, using New Orleanians' fate as grist for reflection but not addressing our needs.

New Orleans has been in decline for years, having witnessed stagnation in industry, the loss of business headquarters, little economic expansion except in tourism, and the consequent departure of many of its most talented young people, black and white, for opportunities elsewhere. Though some of the social pathologies that Mr. McClay describes have their roots in the distant past, others are to be expected in a no-growth environment. For all the evil wrought by Katrina and its aftermath, it is at least now recognized that continued drift is no longer an option. If New Orleans is to recover, it needs a plan to grow.

This is not far-fetched. Most of New Orleans's industrial and commercial infrastructure came through the storm with little damage; the city retains its geographical advantage as the natural port near the mouth of the continent's major river; and it retains the sort of distinctive cultural life that attracts bright young adults and makes for quick progress in the new economy of the information age.

What economic growth demands is state-of-the-art flood protection. (As I write, the state's Governor, two U.S. Senators, and other leaders are in Holland to observe first-hand what this looks like.) Contrary to Mr. McClay's concern, no one is talking about "a showcase of man's triumphant and risk-free conquest of nature," but rather about controlling the waters from Lakes Pontchartrain and Borgne and from the still-distant Gulf as seriously as the Mississippi River is now controlled—not by a patchwork of levees but by an integrated system. Cities can be sheltered from nature's ravages without nature herself being suppressed; it is a matter of proportion and purpose, and a clear-sighted recognition of the value of human life.

Like other conservative journalists and commentators, Mr. McClay is elegiac in his appreciation of New Orleans's distinctiveness in American history and culture, and I could not improve upon his lovely description of the lore and resonance of the place. What he leaves out is how all this is anchored in family and faith, heightened perhaps by New Orleanians' frank appreciation of human desire, the intensity of their love, and the steadfastness of their traditions. Even in imposed exile, at least through the fall, the neighborhoods of New Orleans persisted as a sort of virtual community, longing for home. Talk of a reduced "footprint" for the city is no response to this, and even a federal buyout, however welcome, addresses only material loss.

JAMES R. STONER
Louisiana State University
Baton Rouge, Louisiana

WILFRED M. MCCLAY writes:

Bruce Katz and Mark Muro will get no argument from me about the many serious errors in federal policy that helped fuel the reckless growth and development of New Orleans. (Indeed, I would only add to their list, beginning with misguided welfare policies.) But I wish they would speak out with equal vigor against the dangerous illusion, now being fostered by New Orleans's influential former mayor Marc Morial among others, and unfortunately echoed here by James R. Stoner, that the city can be restored without a significant reduction in its "footprint."

Although Messrs. Katz and Muro's report is full of good ideas for the future of New Orleans, it is noticeably cavalier in addressing the inflamed politics of the city, which can paralyze the best plans for reconstruction. By merely expressing the fond hope that "visionary" leadership will materialize, they commit the cardinal error of so many planners who view their task chiefly as an engineering and administrative one, and leave the political heavy lifting as an afterthought for others to take care of.

I agree with their point about the housing-assistance crisis. The mobile homes provided by FEMA are expensive and cumbersome, and a more extensive use of vouchers would have been sounder policy. I would add, too, that FEMA's public vacillations about when and whether it would cut off its housing subsidies have caused needless anxiety among the city's poor and hard-pressed evacuees.

But even on the trailer issue, Messrs. Katz and Muro fail to provide the full picture. The White House reacted to the situation more rapidly than they are willing to credit. President Bush announced a shift toward a policy favoring vouchers and certificates in his September 15, 2005 address at Jackson Square, even if FEMA was too slow to implement it.

Moreover, it is not as if there has been a hyper-abundance of unoccupied living space in the New Orleans area, or in all of southeastern Louisiana, in the aftermath of Katrina. Because of hurricane damage, suitable housing units have been few and far between, and completely insufficient for the enormous demand. Hence, the policies that Messrs. Katz and Muro advocate necessarily entail moving a significant proportion of the evacuees out of the area on a short-term and probably even a per-

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manent basis. They ought to be more candid about this.

They have argued elsewhere that such relocation would be a very good thing: for the evacuees, because it would offer them a fresh start and new opportunities in more favorable circumstances; and for New Orleans, because it would break down areas of concentrated poverty and allow for the "reinvention" of the city. Making essentially the same argument, a distinguished group of liberal social scientists, including Christopher Jencks, William Julius Wilson, and Gary Orfield, issued a statement calling upon President Bush to "seize this extraordinary opportunity to rebuild lives, not just the physical infrastructure" of New Orleans.

There is much to be said for this idea, and in a rational political climate it would get a fair hearing. But the larger point of my article, which Messrs. Katz and Muro pass over too lightly, is that in the poisoned environment of New Orleans politics, certain solutions cannot be discussed in public. Their proposal would immediately be taken as part of a sinister plot to "whiten" the city and depopulate southern Louisiana. Although such conspiracy-mindedness owes much to New Orleans's history of racial antagonism and suspicion, it is even more the bitter fruit of the reckless ideological and partisan exploitation of Katrina that I describe in my article.

Messrs. Katz and Muro fail to mention that Governor Kathleen Blanco was a strong advocate of the extensive use of trailers—and precisely because she, too, is so fiercely and self-interestedly determined to keep Louisianians in Louisiana. She understands that giving people a voucher to live out of state, where they might taste a more opportunity-rich environment, makes it more likely that they will never return. A similar motivation was no doubt behind efforts by Louisiana Congressmen to restrict the vouchers to in-state use. And after Mayor Ray Nagin's incendiary proclamation on Martin Luther King Day that God has determined that New Orleans is to remain a "chocolate city," one does not have to guess at the kinds of political pressures he is responding to. None of this bodes well for the future of New Orleans, or for Messrs. Katz and Muro's ideal of "inclusive and sustainable redevelopment."

James R. Stoner is absolutely right that New Orleans's future as a great American city ultimately depends on the securing of flood protection, and that such protection will not be possible without the construction of a massive integrated system of levees, pumps, seawalls, floodgates, canals, barriers, and the like. But I take exception to his description of my own proposals as "speculative rather than realistic"—especially since he is the one proposing that achieving fail-safe protection of New Orleans at gargantuan expense is merely "a matter of proportion and purpose." Considering that the one engineering success he cites as a model—the taming of the Mississippi River's flooding—has been a chief culprit in the present difficulties, I am little dissuaded from my counsel that we recognize inherent limits.

Nor, I think, is Mr. Stoner sufficiently attentive to the political obstacles that stand in the way of his ideas. I admire, and share, my friend's love for the city of New Orleans and its people. But his position is not the only one based upon "a clear-sighted recognition of the value of human life." The weighing of human benefits against material costs is the heart of public policy; it is part of the inherent pathos of politics. Not every "longing for home" can be addressed by the federal treasury.

Everyone living in New Orleans wants the city to have protections against a category-five hurricane. But even if we assume that this is technologically feasible, it is certainly not feasible any time soon. Reliable estimates that I have seen suggest that the job could take fifteen years or more, at a cost in the many billions. If, as Mr. Stoner asserts, New Orleans cannot flourish without such protections, how does he propose to keep the city going until they are in place? How is the delayed effect of such a massive project to be justified to the American people, over against thousands of other national needs on which the same money could be spent?

One way or another, New Orleans is going to have a "reduced footprint." If the reconstruction is done intelligently by responsible leaders, the city could wind up as good as ever. If it is done haphazardly, the result could be a whole new generation of bitterness and grievance, and quite possibly the death of the city.

Sensible plans have been put forward by the Bureau of Governmental Research, the Urban Land Institute, and the mayor's own redevelopment commission. But these are being ignored when it comes to the critical "footprint" issue, and a wholly different set of expectations is being fostered. Figures like Marc Morial are irresponsibly encouraging the double illusion that New Orleanians have a right to expect category-five protection to be erected overnight, and that everything else can be restored to what it was.

Neither is possible. Repeating the mistakes of the past, however, is always an option. And when all else fails, there will always be George W. Bush to blame.

Brain Gain?

TO THE EDITOR:

In his extended review of my book, *The Singularity Is Near*, Kevin Shapiro repeats objections to my thesis that I articulated and responded to in the book itself ["This Is Your Brain on Nanobots," December 2005]. He also betrays a lack of knowledge about contemporary artificial intelligence (AI), genetics, and nanotechnology.

Mr. Shapiro writes that successful AI today consists of problem-solving through "trial and error." This is simply mistaken. Most useful problems have such an enormous number of combinations of possible solutions that trial-and-error approaches are useless. Software programs that guide intelligent weapons, detect credit-card fraud, automatically place billions of dollars in investments, design jet-engine systems, or perform many other functions

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all work by emulating the key source of the human brain's intelligence, namely, its ability to recognize patterns. In the same manner, a group at Google created automated English-to-Arabic and Arabic-to-English translators using self-organizing methods from extensive "Rosetta stone" texts. Their systems perform about as well as professional human translators. Interestingly, no one on the team spoke a word of Arabic.

Mr. Shapiro alludes to my discussion of acceleration in technological development, but he consistently displays linear thinking in his own prognostications. Citing a couple of my successful predictions, he says that "to be against Ray Kurzweil in 1990, one would have had to be an ostrich." I can say that there were lots of ostriches back then, and that Mr. Shapiro is being one today. He writes that my "Law of Accelerating Returns," by which information technology advances exponentially, "does not seem to apply to our basic understanding . . . of cognition" and that "advances in brain scanning have not yet translated into vastly increased knowledge about the human brain." These statements are simply inconsistent with the doubling we now see each year in both the quantity and the precision of the information we are able to obtain about the brain's structure and function at all levels (from cellular models to connection patterns). We also have seen steady, exponential gains in the resolution of brain scans.

Mr. Shapiro dismisses the successful computer simulation of brain regions as "little more than a theorist's intuition of how the brain works, filtered through several layers of complicated programming." But detailed psychoacoustic tests applied to the simulation of over a dozen regions of the auditory cortex obtained results very similar to those of the same tests applied to actual brain regions.

Mr. Shapiro frequently refers to things we do not yet understand (like the cause of Alzheimer's) to make his case that the brain is so complex that we cannot hope to reverse-engineer it within the next several decades. To this objection I have two important responses that he fails to acknowledge. First, the brain, while certainly not a simple system, is not as complex as it appears. Take the cerebellum, where we do our skill formation. It comprises about half of the neurons in the brain, and appears to be vastly complex, with many billions of intricately wired networks. But the design of all this apparent complexity is relatively simple and controlled by only a few genes. We have a good understanding of the wiring pattern (although not yet of all the patterns of input and output), and researchers have created an effective simulation of the cerebellum.

Second, I describe the brain's organization as a probabilistic fractal, meaning that its intricacies are expansions of simpler design rules contained in the genome. The genome contains only 30 to 100 million bytes of compressed information, yet the apparent complexity of the brain is a billion times greater. The genome design, while not simple, is at a level of complexity that we are capable of handling, especially when aided by increasingly powerful computers and sophisticated software models.

Mr. Shapiro derides computer scientists' reliance on something as "intangible" as information, quoting H.L. Mencken to characterize this as dealing "with objects . . . far beyond the reach of the senses." But that is exactly what the senses do: they turn the world into a flow of information. Our brains comprise information processes that recognize patterns and respond to them.

Fields of study like biology and brain science have pre-information and post-information eras. Mr. Shapiro cites Vioxx as a failure of biotechnology that (he believes) shows our imperfect understanding of biological processes, but Vioxx came from biology's pre-information era, in which advances were hit-or-miss. Now that we are beginning to understand the information processes underlying biology, biotechnology is becoming subject to the Law of Accelerating Returns. To cite just one of many examples, it took us fifteen years to discover the genetic sequence of HIV, yet we sequenced SARS in only 31 days.

Brain science was also a hit-or-miss affair until recently. But now that we can actually view and model brain structures and interactions precisely, it is also becoming subject to the annual doubling of the power of information technologies. IBM is now building a detailed model and simulation of a substantial slice of the cerebral cortex, something that would have been unheard of only a few years ago. With high-resolution scanners only now emerging, the project to reverse-engineer the human brain is at an early point in what will be an exponential ascent. From this perspective, my expectation of gaining the principles of operation of human intelligence within a quarter-century is conservative.

RAY KURZWEIL
Wellesley, Massachusetts

TO THE EDITOR:

Kevin Shapiro's "This Is Your Brain on Nanobots" is a valuable and important piece (one I intend to have my computer-science students read). I would like to add several comments.

Ray Kurzweil's "Law of Accelerating Returns" is already running out of gas. The computer industry is moving to "clusters" (several processors in the same box) and other forms of "parallel computing" (many computers focused on the same problem, so they can solve it faster). This move is happening mainly because steady, year-by-year growth in the power of integrated circuits is already slowing, and no other technology is ready for action.

More important: Kurzweil's idea that "we will soon have hardware that equals or exceeds that of the human brain" is naïve—for the reasons Shapiro gives, and for other reasons, too.

Kurzweil predicts that in 2020 you will be able to buy a brain's-worth of computing for $1,000. But you cannot buy it today for any price, and no one has the vaguest idea how to build it.

Here is one of the central problems: without emotion, thought is impossible (as I argued in my 1994 book, *The Muse in the Machine*). Emotion becomes increasingly important as the mind moves down the "cognitive spectrum" from high alert-

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ness to the less alert state in which we are increasingly incapable of abstract thought—and finally to the least alert state of all, namely, sleep. Emotion is fundamental to "sleep thought," otherwise known as dreaming. To put it another way: "analogy" is sometimes described as the main unsolved problem in cognitive science. But there is plenty of evidence to suggest that emotion is the main component of the mind's mysterious capacity to invent new analogies. This capacity in turn underlies creativity; underlies "intuitive" versus "analytic" thought.

The all-important role of emotion means that Kurzweil's thesis makes no sense. Emotions are not a matter of the brain only; they involve the body, too. You experience an emotion with your whole body. Because emotions require a body, human thought requires a body—or a reasonable facsimile.

It is possible to simulate certain brain functions on a computer. But no one claims that we know (or are likely to know anytime soon) how to build a fake human body in the laboratory—with skin that reacts to emotions the same way human skin does, and likewise internal organs, and so on. Computer hardware has become more and more sophisticated. But the "fake body" problem is not a computing problem. It cannot be solved with digital or any other kind of electronics. It is a hugely complex problem in materials engineering. It might be solved some day; but there is no reason *a priori* to believe that it will.

This brings up a related problem with Kurzweil's thesis. He seems to take it for granted that if we simulate a whole brain in software, simulated thought and a simulated mind will emerge. It might or might not; we don't know. We don't know how the brain produces consciousness. Consciousness might result from the right sort of sophisticated information-processing, in which case we might one day use computers to produce simulated consciousness. But it might also require the exact materials (the exact molecular structures) we find in the brain. If you want an object with the exact properties of a brick, your only alternative is baked clay. You can simulate the structure of a brick on a computer, but you won't be able to use the result to build a house. Consciousness might be like "brickness"; we don't know.

For these and other reasons, I strongly agree with Mr. Shapiro. Kurzweil's predictions might conceivably come true some day, but don't hold your breath. If it ever happens, it won't be soon.

DAVID GELERNTER
Yale University
New Haven, Connecticut

TO THE EDITOR:

Kevin Shapiro's thinking on artificial intelligence (AI) is reinforced by Roger Penrose's *Shadows of the Mind*, in which the author points out that AI is not just a long way off—it is impossible. He cites a dictum of Gödel's to the effect that when mathematicians are doing original thinking they are using no known algorithms, only their intuitions—and one cannot teach intuition to a computer.

HARRY E. THAYER
Kensington, California

KEVIN SHAPIRO writes:

In the marketplace of ideas, there are many ways to sell a theory. One is to present a few careful, meticulously reasoned arguments. Another is to present so many bad arguments that no one could possibly have the time or expertise to refute them all—creating the impression that the theory is logically irrefutable. I am afraid that Ray Kurzweil's project is of the latter sort, and his letter here is representative. He claims that knowledge in brain science, life science, and information science is advancing rapidly enough that we will soon have the ability to replicate human intelligence in an artificial substrate. Unfortunately for him, the evidence he brings does not support this contention—not by a long shot.

To begin with, Mr. Kurzweil makes a fundamental error in assuming that the quantity and precision of information are directly related to its theoretical utility. Even if it is true that we have twice as much data about how the brain *looks* as we did last year, it is manifestly not the case that we have twice as good an understanding of how it *works*. The increasing "resolution of brain scans" to which Mr. Kurzweil refers is similarly meaningless—and not just because many of the higher-resolution modes cannot safely be used with humans. What matters is whether we can use available brain-scanning techniques to answer interesting questions about the nature of thought. At the moment, it seems that the questions currently receptive to brain imaging are quite limited.

Since my own research interests involve the neuroscience of higher mental functions, it would be rather masochistic of me to believe that the brain is so hopelessly complex that we can never understand it. Nor do I believe that artificial intelligence (AI) is impossible in principle; unlike Harry E. Thayer, I do not subscribe to Roger Penrose's argument that consciousness cannot be understood within the framework of contemporary physics. As David Gelernter points out, the feasibility of AI is ultimately an empirical question, and it is not inconceivable that we will some day discover the basic elements of human thought.

On the other hand, I find little encouragement in the examples heralded by Mr. Kurzweil. He points us to the cerebellum, a structurally primitive part of the brain that is crucial for the maintenance of posture and the execution of fine movements. (Contrary to what he writes, it is not "where we do our skill formation," though it probably plays some role in that process.) Compared to the cerebral cortex, generally thought to be the seat of cognition, the cerebellum is actually very simple. It comprises only a handful of neuronal cell types, all linked up rather neatly in a repeating pattern that was first described over 100 years ago. The most intriguing thing about the cerebellum is not the wiring pattern itself, but the patterns of input and output—in other words, its actual contribution to thought—and this, Mr. Kurzweil concedes, we largely do not know.

If computers are going to help us figure out the mysteries of the brain, we will have to know how to

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program them to do so. Mr. Gelernter notes correctly that this is a problem we barely know how to approach. So far, efforts at modeling different parts of the brain (like the cerebellum) have served only to confirm the plausibility of existing theories about their function, and have not revealed anything radically new. Likewise, research in AI has shown nothing more than that certain tasks performed by humans can also be performed by computers.

In conventional AI, the human programmer provides the computer with a set of inputs, a set of possible outputs, and a feedback mechanism that allows the computer to compare its mapping of inputs and outputs to some pre-defined target. The computer then runs through many cycles of input-output mappings, refining its procedure each time until a reasonable approximation of the target is achieved. This process has made possible an enormous number of practical applications, but whether one calls it "machine learning" or "trial and error," it has not shed much light on the nature of human intelligence. Many of the abilities that define our species—like language—cannot be reduced to simple pattern recognition.

The Google machine-translation project is (perhaps ironically) an excellent illustration of this point. As Mr. Kurzweil indicates, Google's program works by extracting statistical correlations between sets of texts that are fed to it: the more texts it analyzes, the bigger its effective vocabulary becomes. Yet even after having analyzed millions of texts, the system's performance is mediocre at best: on a scale that rates machine translations from 0 to 1, where 1 is the statistical equivalent of a human translation, Google's Arabic-English translator scores around .52. Moreover, the Google system has no capability to represent things like grammatical rules, so its translations bear no more than a superficial resemblance to human language. Compare this to the average five-year-old, who can acquire a perfect working knowledge of any number of languages after only a few months' exposure to playground chatter.

Mr. Kurzweil's comments about biotechnology are similarly misguided. He points to the quick sequencing of the SARS genome as evidence that biology is becoming subject to his "Law of Accelerating Returns," but there was no exponential function at work there: the invention and automation of a process called the polymerase chain reaction in the late 1980's and early 90's made it cheap and easy to sequence nucleic acids. Even so, the knowledge gained from molecular genetics has not been easy to translate into treatments and therapies; sequencing the SARS genome has led to better tests to detect the virus, but not to any breakthroughs in treating or preventing it. So-called rational drug design has had only one notable success: Novartis's Gleevec, which can arrest (but not cure) a specific form of leukemia. At the same time, "information era" pharmacology has produced its share of disasters, like Tysabri, a multiple-sclerosis drug that turned out to weaken immune defenses against a devastating brain infection.

Mr. Kurzweil's argument is so riddled with factual and logical errors that it is difficult to take it seriously, and I thank David Gelernter for calling attention to several that I missed. The one great virtue of Mr. Kurzweil's predictions is that they are time-specific: in 25 or so years, we will be able to judge whether he is right. For now, he has given us little reason to believe that he is.

Joan Didion

TO THE EDITOR:

Let me make sure I understand Sam Schulman's point in his review of Joan Didion's *The Year of Magical Thinking* [December 2005]. Mr. Schulman believes that Didion's "authorial decision to remain . . . ignorant of her daughter's death" for the duration of her memoir of the year following her husband's death was "calculated"? Her failure to revise the book's perspective upon her daughter's death "after the book was completed but months before its publication" was a "cunning solicitation" for greater sympathy?

Didion finished writing *The Year of Magical Thinking* on December 31, 2004—one year and one day after her husband died. Her daughter died on August 26, 2005, after two and a half months in intensive care. The book was published in October 2005. When exactly should the rewrite have been done?

D.L. MOWREY
Mendenhall, Pennsylvania

SAM SCHULMAN WRITES:

D.L. Mowrey accuses me of having demanded that Joan Didion rewrite her book after the death of her daughter. I did not. I was thinking instead of what I expected to find in the book: a note in the front or back matter. Not encountering it there, I was sure as I read the book that a sentence or paragraph at the end would mention the sad fact of Quintana Dunne's death, bringing to a close the terrible experience that Didion went through. Not to have encountered even a single sentence—or a set of dates—surprised me. Any publication schedule could easily have accommodated such a change. Not to make it was an authorial choice. The effect of Didion's choice is to make the reader feel manhandled, manipulated—and puzzled. What effect she meant to have is an open question, but there is no doubt that one was intended.

D.L. Mowrey is also wrong to say that I called Didion's decision to withhold such a note a piece of "cunning solicitation." I applied these words to the book as a whole, which indeed is carefully crafted to solicit pity while being interspersed with passionate and utterly mystifying denunciations of self-pity. Her choice not to mention her daughter's death strikes me as of a piece with this.

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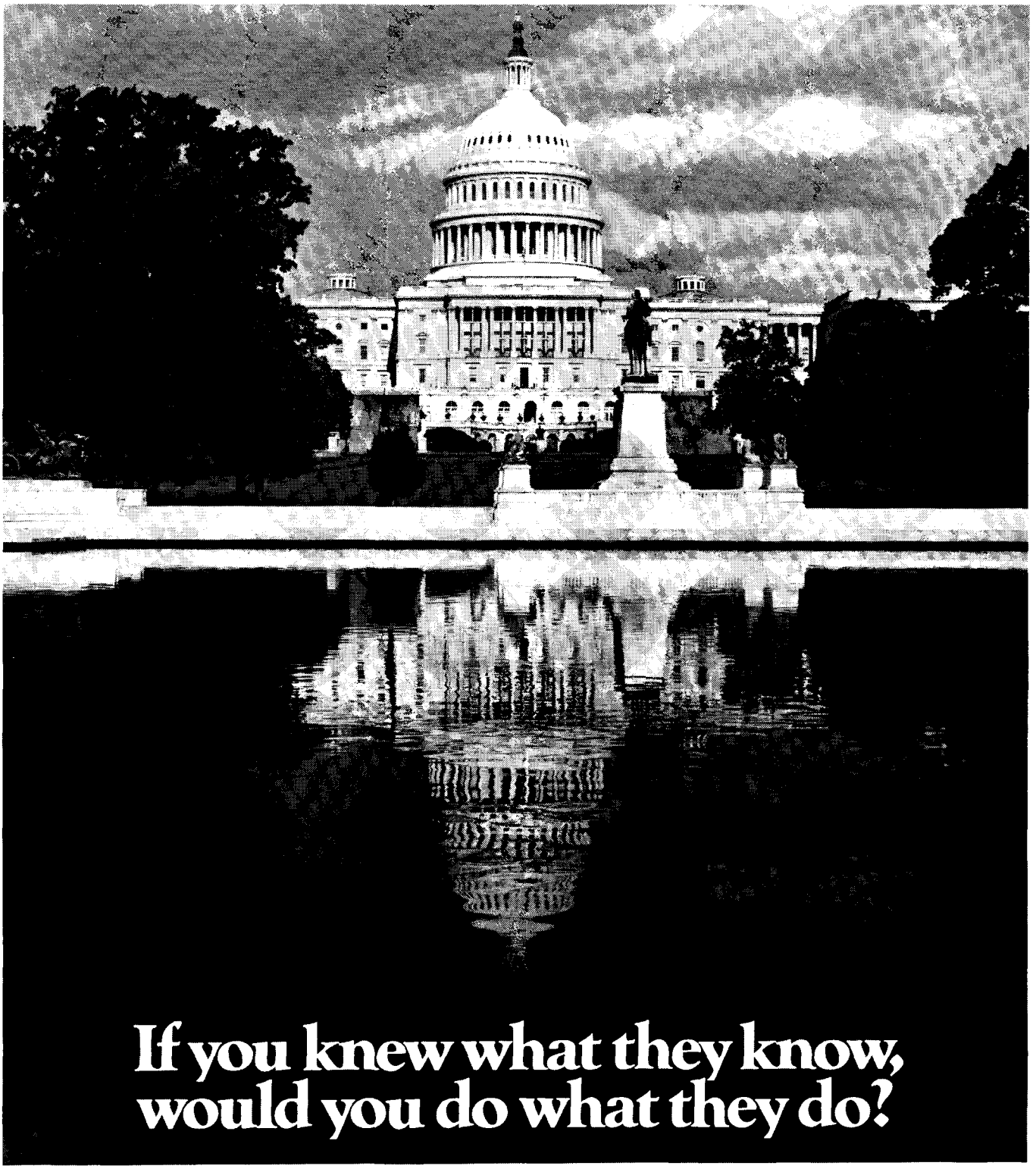

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Commentary
March 2006

Has the "New York Times" Violated the Espionage Act?

Gabriel Schoenfeld

"Bush Lets U.S. Spy on Callers Without Courts." Thus ran the headline of a front-page news story whose repercussions have roiled American politics ever since its publication last December 16 in the *New York Times*. The article, signed by James Risen and Eric Lichtblau, was adapted from Risen's then-forthcoming book, *State of War*.[1] In it, the *Times* reported that shortly after September 11, 2001, President Bush had "authorized the National Security Agency [NSA] to eavesdrop on Americans and others inside the United States . . . without the court-approved warrants ordinarily required for domestic spying."

Not since Richard Nixon's misuse of the CIA and the IRS in Watergate, perhaps not since Abraham Lincoln suspended the writ of habeas corpus, have civil libertarians so hugely cried alarm at a supposed law-breaking action of government. People for the American Way, the Left-liberal interest group, has called the NSA wiretapping "arguably the most egregious undermining of our civil liberties in a generation." The American Civil Liberties Union has blasted Bush for "violat[ing] our Constitution and our fundamental freedoms."

Leading Democratic politicians, denouncing the Bush administration in the most extreme terms, have spoken darkly of a constitutional crisis. Former Vice President Al Gore has accused the Bush White House of "breaking the law repeatedly and insistently" and has called for a special counsel to investigate. Senator Barbara Boxer of California has solicited letters from four legal scholars inquiring whether the NSA program amounts to high crimes and misdemeanors, the constitutional standard for removal from office. John Conyers of Michigan, the ranking Democrat on the House Judiciary Committee, has demanded the creation of a select panel to investigate "those offenses which appear to rise to the level of impeachment."

The President, for his part, has not only stood firm, insisting on both the legality and the absolute necessity of his actions, but has condemned the *disclosure* of the NSA surveillance program as a "shameful act." In doing so, he has implicitly raised a question that the *Times* and the President's foes have conspicuously sought to ignore—namely, what is, and what should be, the relationship of news-gathering media to government secrets in the life-and-death area of national security. Under the protections provided by the First Amendment of the Constitution, do journalists have the right to publish whatever they can ferret out? Such is certainly today's working assumption, and it underlies today's practice. But is it based on an informed reading of the Constitution and the relevant

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[1] *State of War: The Secret History of the CIA and the Bush Administration*. Free Press, 240 pp., $26.00.

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statutes? If the President is right, does the December 16 story in the *Times* constitute not just a shameful act, but a crime?

II

EVER SINCE 9/11, U.S. intelligence and law-enforcement authorities have bent every effort to prevent our being taken once again by surprise. An essential component of that effort, the interception of al-Qaeda electronic communications around the world, has been conducted by the NSA, the government arm responsible for signals intelligence. The particular NSA program now under dispute, which the *Times* itself has characterized as the U.S. government's "most closely guarded secret," was set in motion by executive order of the President shortly after the attacks of September 11. Just as the *Times* has reported, it was designed to track and listen in on a large volume of calls and e-mails *without* applying for warrants to the Foreign Intelligence Security Act (FISA) courts, whose procedures the administration deemed too cumbersome and slow to be effective in the age of cell phones, calling cards, and other rapidly evolving forms of terrorist telecommunication.

Beyond this, all is controversy. According to the critics, many of whom base themselves on a much-cited study by the officially nonpartisan Congressional Research Service, Congress has never granted the President the authority to bypass the 1978 FISA Act and conduct such surveillance. In doing so, they charge, the Bush administration has flagrantly overstepped the law, being guilty, in the words of the *New Republic*, of a "bald abuse of executive power."

Defenders answer in kind. On more than twelve occasions, as the administration itself has pointed out, leaders of Congress from both parties have been given regularly scheduled, classified briefings about the NSA program. In addition, the program has been subject to internal executive-branch review every 45 days, and cannot continue without explicit presidential reauthorization (which as of January had been granted more than 30 times). Calling it a "domestic surveillance program" is, moreover, a misnomer: the communications being swept up are international in nature, confined to those calls or e-mails one terminus of which is abroad and at one terminus of which is believed to be an al-Qaeda operative.

Defenders further maintain that, contrary to the Congressional Research Service, the law itself is on the President's side.[2] In addition to the broad wartime powers granted to the executive in the Constitution, Congress, immediately after September 11, empowered the President "to take action to deter and prevent acts of international terrorism against the United States." It then supplemented this by authorizing the President to "use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks." The NSA surveillance program is said to fall under these specified powers.[3]

The debate over the legality of what the President did remains unresolved, and is a matter about which legal minds will no doubt continue to disagree, largely along partisan lines. What about the legality of what the *Times* did?

III

ALTHOUGH IT has gone almost entirely undiscussed, the issue of leaking vital government secrets in wartime remains of exceptional relevance to this entire controversy, as it does to our very security. There is a rich history here that can help shed light on the present situation.

One of the most pertinent precedents is a newspaper story that appeared in the *Chicago Tribune* on June 7, 1942, immediately following the American victory in the battle of Midway in World War II. In a front-page article under the headline, "Navy Had Word of Jap Plan to Strike at Sea," the *Tribune* disclosed that the strength and disposition of the Japanese fleet had been "well known in American naval circles several days before the battle began." The paper then presented an exact description of the imperial armada, complete with the names of specific Japanese ships and the larger assemblies of vessels to which they were deployed. All of this information was attributed to "reliable sources in . . . naval intelligence."

The inescapable conclusion to be drawn from the *Tribune* article was that the United States had broken Japanese naval codes and was reading the enemy's encrypted communications. Indeed, cracking JN-25, as it was called, had been one of the

[2] The non-partisan status of the Congressional Research Service has been called into question in this instance by the fact that the study's author, Alfred Cumming, donated $1,250 to John Kerry's presidential campaign, as was reported by the *Washington Times*.

[3] What the U.S. government was doing, furthermore, differed little if at all from what it had done in the past in similar emergencies. "For as long as electronic communications have existed," as Attorney General Alberto Gonzalez has pointed out, "the United States has conducted surveillance of [enemy] communications during wartime—all without judicial warrant."

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major Allied triumphs of the Pacific war, laying bare the operational plans of the Japanese Navy almost in real time and bearing fruit not only at Midway—a great turning point of the war—but in immediately previous confrontations, and promising significant advantages in the terrible struggles that still lay ahead. Its exposure, a devastating breach of security, thus threatened to extend the war indefinitely and cost the lives of thousands of American servicemen.

An uproar ensued in those quarters in Washington that were privy to the highly sensitive nature of the leak. The War Department and the Justice Department raised the question of criminal proceedings against the *Tribune* under the Espionage Act of 1917. By August 1942, prosecutors brought the paper before a federal grand jury. But fearful of alerting the Japanese, and running up against an early version of what would come to be known as graymail, the government balked at providing jurors with yet more highly secret information that would be necessary to demonstrate the damage done.

Thus, in the end, the *Tribune* managed to escape criminal prosecution. For their part, the Japanese either never got wind of the story circulating in the United States or were so convinced that their naval codes were unbreakable that they dismissed its significance. In any case, they left them unaltered, and their naval communications continued to be read by U.S. and British cryptographers until the end of the war.[4]

If the government's attempt to employ the provisions of the 1917 Espionage Act in the heat of World War II failed, another effort three decades later was no more successful. This was the move by the Nixon White House to prosecute Daniel Ellsberg and Anthony Russo for leaking the Pentagon Papers, which foundered on the rocks of the administration's gross misconduct in investigating the offense. The administration also petitioned the Supreme Court to stop the *New York Times* from publishing Ellsberg's leaked documents, in order to prevent "grave and irreparable danger" to the public interest; but it did not even mention the Espionage Act in this connection, presumably because that statute does not allow for the kind of injunctive relief it was seeking.

THINGS TOOK a different turn a decade later with an obscure case known as *United States of America* v. *Samuel Loring Morison*. From 1974 to 1984, Morison, a grandson of the eminent historian Samuel Eliot Morison, had been employed as a part-time civilian analyst at the Naval Intelligence Support Center in Maryland. With the permission of his superiors, he also worked part-time as an editor of *Jane's Fighting Ships*, the annual reference work that is the standard in its field. In 1984, dissatisfaction with his government position led Morison to pursue full-time employment with *Jane's*.

In the course of his job-seeking, Morison had passed along three classified photos, filched from a colleague's desk, which showed a Soviet nuclear-powered aircraft carrier under construction. They had been taken by the KH-11 satellite system, whose electro-optical digital-imaging capabilities were the first of their kind and a guarded military secret. The photographs, which eventually appeared in *Jane's Defence Weekly*, another publication in the *Jane's* family, were traced back to Morison. Charged with violations of the Espionage Act, he was tried, convicted, and sentenced to a two-year prison term.[5]

Finally, and bearing on issues of secrecy from another direction, there is a case wending its way through the judicial process at this very moment. It involves the American Israel Public Affairs Committee (AIPAC), which lobbies Congress and the executive branch on matters related to Israel, the Middle East, and U.S. foreign policy. In the course of these lobbying activities, two AIPAC officials, Steven J. Rosen and Keith Weissman, allegedly received classified information from a Defense Department analyst by the name of Lawrence Franklin. They then allegedly passed on this information to an Israeli diplomat, and also to members of the press.

Both men are scheduled to go on trial in April for violations of the Espionage Act. The indictment, which names them as part of a "conspiracy," asserts that they used "their contacts within the U.S. government and elsewhere to gather sensitive U.S. government information, including classified information relating to national defense, for subsequent unlawful communication, delivery, and transmission to persons not entitled to receive it." As for Franklin, who admitted to his own violations of the Espionage Act and was promised leniency for cooperating in an FBI sting operation against Rosen and Weissman, he was sentenced this Janu-

[4] David Kahn concludes in *The Codebreakers* (1967) that in part, "the Japanese trusted too much to the reconditeness of their language for communications security, clinging to the myth that no foreigner could ever learn its multiple meanings well enough to understand it properly. In part they could not envision the possibility that their codes might be read."

[5] In January 2001, a decade-and-a-half after his release, and following a campaign on his behalf by Senator Daniel Patrick Moynihan, Morison was granted a full pardon by President Bill Clinton on his final day in office.

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ary to twelve-and-a-half years in prison, half of the maximum 25-year penalty.[6]

IV

DESPITE THEIR disparate natures and outcomes, each of these cases bears on the NSA wiretapping story. In attempting to bring charges against the *Chicago Tribune*, both Frances Biddle, FDR's wartime attorney general, and other responsible officials were operating under the well-founded principle that newspapers do not carry a shield that automatically allows them to publish whatever they wish. In particular, the press can and should be held to account for publishing military secrets in wartime.

In the case of the *Tribune* there was no indictment, let alone a conviction; in the Pentagon Papers case, the prosecution was botched. But *Morison* was seen all the way through to conviction, and the conviction was affirmed at every level up to the Supreme Court (which upheld the verdict of the lower courts by declining to hear the case). It would thus seem exceptionally relevant to the current situation.

In appealing his conviction, Morison argued along lines similar to those a newspaper reporter might embrace—namely, that the Espionage Act did not apply to him because he was neither engaged in "classic spying and espionage activity" nor transmitting "national-security secrets to agents of foreign governments with intent to injure the United States." In rejecting both of these contentions, the appeals court noted that the law applied to "whoever" transmits national-defense information to "a person not entitled to receive it." The Espionage Act, the court made clear, is not limited to spies or agents of a foreign government, and contains no exemption "in favor of one who leaks to the press."

But if the implication of *Morison* seems straightforward enough, it is also clouded by the fact that Morison's status was so peculiar: was he convicted as a miscreant government employee (which he was) or, as he maintained in his own defense, an overly zealous journalist? In the view of the courts that heard his case, the answer seemed to be more the former than the latter, leaving unclear the status of a journalist engaged in the same sort of behavior today.

The AIPAC case presents another twist. In crucial respects, the status of the two defendants does resemble that of journalists. Unlike Morison but like James Risen of the *New York Times*, the AIPAC men were not government employees. They were also involved in a professional activity—attempting to influence the government by means of lobbying—that under normal circumstances enjoys every bit as much constitutional protection as publishing a newspaper. Like freedom of the press, indeed, the right to petition the government is explicitly stipulated in the First Amendment. Yet for allegedly taking possession of classified information and then passing such information along to others, including not only a representative of the Israeli government but also, as the indictment specifies, a "member of the media," Rosen and Weissman placed themselves in legal jeopardy.

THE AIPAC case thus raises an obvious question. If Rosen and Weissman are now suspended in boiling hot water over alleged violations of the Espionage Act, why should persons at the *Times* not be treated in the same manner?

To begin with, there can be little argument over whether, in the case of the *Times*, national-defense material was disclosed in an unauthorized way. The *Times*'s own reporting makes this plain; the original December 16 article explicitly discusses the highly secret nature of the material, as well as the *Times*'s own hesitations in publishing it. A year before the story actually made its way into print, the paper (by its own account) told the White House what it had uncovered, was warned about the sensitivity of the material, and was asked not to publish it. According to Bill Keller, the *Times*'s executive editor, the administration "argued strongly that writing about this eavesdropping program would give terrorists clues about the vulnerability of their communications and would deprive the government of an effective tool for the protection of the country's security." Whether because of this warning or for other reasons, the *Times* withheld publication of the story for a year.[7]

Nor does James Risen's *State of War* hide this aspect of things. To the contrary, one of the book's selling points, as its subtitle indicates, is that it is presenting a "secret history." In his acknowledgements, Risen thanks "the many current and former government officials who cooperated" with him, adding that they did so "sometimes at great personal risk." In an age when government officials are routinely investigated by the FBI for leaking classified infor-

[6] If Franklin continues to cooperate with the authorities, his sentence will be reviewed and probably reduced after the trial of Rosen and Weissman.

[7] According to Jon Friedman's online Media Web, the *Times*'s publisher, Arthur Sulzberger, Jr., also met with President Bush before the NSA story was published.

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mation, and routinely charged with a criminal offense if caught in the act, what precisely would that "great personal risk" entail if not the possibility of prosecution for revealing government secrets?

The real question is therefore not whether secrets were revealed but whether, under the espionage statutes, the elements of a criminal act were in place. This is a murkier matter than one might expect.

Thus, one subsection of the Espionage Act requires that the country be in a state of war, and one might argue that this requirement was not present. Although President Bush and other leading officials speak of a "war on terrorism," there has been no formal declaration of war by Congress. Similarly, other subsections demand evidence of a clear intent to injure the United States. Whatever the motives of the editors and reporters of the *New York Times*, it would be difficult to prove that among them was the prospect of causing such injury.

True, several sections of the Act rest on neither a state of war nor on intent to injure, instead specifying a lower threshold: to be found guilty, one must have acted "willfully." Yet this key term is itself ambiguous—"one of the law's chameleons," as it has been called. Does it mean merely acting with awareness? Or does it signify a measure of criminal purposiveness? In light of these and other areas of vagueness in the statutes, it is hardly surprising that, over the decades, successful prosecution of the recipients and purveyors of leaked secret government information has been as rare as leaks of such information have been abundant.

V

BUT THAT does not end the matter. Writing in 1973, in the aftermath of the Pentagon Papers muddle, two liberal-minded law professors, Harold Edgar and Benno C. Schmidt, Jr., undertook an extensive study of the espionage statutes with the aim of determining the precise degree to which "constitutional principles limit official power to prevent or punish public disclosure of national-defense secrets."[8] Their goal proved elusive. The First Amendment, Edgar and Schmidt found, despite providing "restraints against grossly sweeping prohibitions" on the press, did not deprive Congress of the power to pass qualifying legislation "reconciling the conflict between basic values of speech and security." Indeed, the Espionage Act of 1917 was just such a piece of law-making, and Edgar and Schmidt devote many pages to reviewing the discussion that led up to its passage.

What they show is a kind of schizophrenia. On the one hand, a "series of legislative debates, amendments, and conferences" preceding the Act's passage can "fairly be read as *excluding* criminal sanctions for well-meaning publication of information no matter what damage to the national security might ensue and regardless of whether the publisher knew its publication would be damaging" (emphasis added). On the other hand, whatever the "apparent thrust" of this legislative history, the statutes themselves retain plain meanings that cannot be readily explained away. The "language of the statute," the authors concede, "has to be bent somewhat to exclude publishing national-defense material from its [criminal] reach, and tortured to exclude from criminal sanction preparatory conduct necessarily involved in almost every conceivable publication" of military secrets.

Thus, in the Pentagon Papers case, four members of the Court—Justices White, Stewart, Blackmun, and Chief Justice Burger—suggested that the statutes can impose criminal sanctions on newspapers for retaining or publishing defense secrets. Although finding these pronouncements "most regrettable," a kind of "loaded gun pointed at newspapers and reporters," Edgar and Schmidt are nevertheless compelled to admit that, in this case as in many others in modern times, the intent of the espionage statutes is indisputable:

> If these statutes mean what they seem to say and are constitutional, public speech in this country since World War II has been rife with criminality. The source who leaks defense information to the press commits an offense; the reporter who holds onto defense material commits an offense; and the retired official who uses defense material in his memoirs commits an offense.

For Edgar and Schmidt, the only refuge from this (to them) dire conclusion is that Congress did not understand the relevant sections of the Espionage Act "to have these effects when they were passed, or when the problem of publication of defense information was considered on other occasions."

EDGAR AND SCHMIDT may or may not be right about Congress's incomprehension. But even if they are right, would that mean that newspapers can indeed publish whatever they want whenever they want, secret or not, without fear of criminal sanction?

Hardly. For in 1950, as Edgar and Schmidt also note, in the wake of a series of cold-war espionage

[8] "The Espionage Statutes and Publication of Defense Information," *Columbia Law Review*, Vol. 73., No. 5., May 1973.

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cases, and with the *Chicago Tribune* episode still fresh in its mind, Congress added a very clear provision to the U.S. Criminal Code dealing specifically with "communications intelligence"—exactly the area reported on by the *Times* and James Risen. Here is the section in full, with emphasis added to those words and passages applicable to the conduct of the *New York Times*:

> §798. Disclosure of Classified Information.
>
> (a) *Whoever* knowingly and willfully communicates, furnishes, transmits, or otherwise makes available to an unauthorized person, or *publishes*, or uses in any manner prejudicial to the safety or interest of the United States or for the benefit of any foreign government to the detriment of the United States *any classified information*—
>
> (1) concerning the nature, preparation, or use of any code, cipher, or cryptographic system of the United States or any foreign government; or
>
> (2) concerning the design, construction, use, maintenance, or repair of any device, apparatus, or appliance used or prepared or planned for use by the United States or any foreign government for cryptographic or communication intelligence purposes; or
>
> (3) *concerning the communication intelligence activities of the United States* or any foreign government; or
>
> (4) obtained by the processes of communication intelligence from the communications of any foreign government, knowing the same to have been obtained by such processes—
>
> Shall be fined not more than $10,000 or imprisoned not more than ten years, or both.
>
> (b) As used in this subsection (a) of this section—
>
> *The term "classified information" means information which, at the time of a violation of this section, is, for reasons of national security, specifically designated by a United States Government Agency for limited or restricted dissemination or distribution;*
>
> The terms "code," "cipher," and "cryptographic system" include in their meanings, in addition to their usual meanings, any method of secret writing and any mechanical or electrical device or method used for the purpose of disguising or concealing the contents, significance, or meanings of communications;
>
> The term "foreign government" includes in its meaning any person or persons acting or purporting to act for or on behalf of any faction, party, department, agency, bureau, or military force of or within a foreign country, or for or on behalf of any government or any person or persons purporting to act as a government within a foreign country, whether or not such government is recognized by the United States;
>
> *The term "communication intelligence" means all procedures and methods used in the interception of communications and the obtaining of information from such communications by other than the intended recipients;*
>
> *The term "unauthorized person" means any person who, or agency which, is not authorized to receive information of the categories set forth in subsection (a) of this section, by the President, or by the head of a department or agency of the United States Government which is expressly designated by the President to engage in communication intelligence activities for the United States.*

Not only is this provision completely unambiguous, but Edgar and Schmidt call it a "model of precise draftsmanship." As they state, "the use of the term 'publishes' makes clear that the prohibition is intended to bar public speech," which clearly includes writing about secrets in a newspaper. Nor is a motive required in order to obtain a conviction: "violation [of the statute] occurs on knowing engagement of the proscribed conduct, without any additional requirement that the violator be animated by anti-American or pro-foreign motives." The section also does not contain any requirement that the U.S. be at war.

One of the more extraordinary features of Section 798 is that it was drawn with the very purpose of *protecting* the vigorous public discussion of national-defense material. In 1946, a joint committee investigating the attack on Pearl Harbor had urged a blanket prohibition on the publication of government secrets. But Congress resisted, choosing instead to carve out an exception in the special case of cryptographic intelligence, which it described as a category "both vital and vulnerable to an almost unique degree."

With the bill narrowly tailored in this way, and "with concern for public speech having thus been respected" (in the words of Edgar and Schmidt), Section 798 not only passed in Congress but, perhaps astonishingly in hindsight, won the support of the American Society of Newspaper Editors. At the time, the leading editors of the *New York Times* were active members of that society.

VI

IF PROSECUTED, or threatened with prosecution, under Section 798, today's *New York Times* would undoubtedly seek to exploit the statute's only significant loophole. This revolves around the issue of whether the information being disclosed was improperly classified as secret. In all of the extensive debate about the NSA program, no one has yet convincingly made such a charge.

The *Times* would also undoubtedly seek to create an additional loophole. It might assert that, unlike in the *Chicago Tribune* case or in *Morison*, the disclosure at issue is of an *illegal* governmental activity, in this case warrantless wiretapping, and that in publishing the NSA story the paper

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was fulfilling a central aspect of its public-service mission by providing a channel for whistleblowers in government to right a wrong. In this, it would assert, it was every bit as much within its rights as when newspapers disclosed the illegal "secret" participation of the CIA in Watergate.

But this argument, too, is unlikely to gain much traction in court. As we have already seen, congressional leaders of both parties have been regularly briefed about the program. Whether or not legal objections to the NSA surveillance ever arose in those briefings, the mere fact that Congress has been kept informed shows that, whatever legitimate objections there might be to the program, this is not a case, like Watergate, of the executive branch running amok. Mere allegations of illegality do not, in our system of democratic rule, create any sort of terra firma—let alone a presumption that one is, in turn, entitled to break the law.

As for whistleblowers unhappy with one or another government program, they have other avenues at their disposal than splashing secrets across the front page of the *New York Times*. The Intelligence Community Whistleblower Protection Act of 1998 shields employees from retribution if they wish to set out evidence of wrongdoing. When classified information is at stake, the complaints must be leveled in camera, to authorized officials, like the inspectors general of the agencies in question, or to members of congressional intelligence committees, or both. Neither the *New York Times* nor any other newspaper or television station is listed as an authorized channel for airing such complaints.

Current and former officials who choose to bypass the provisions of the Whistleblower Protection Act and to reveal classified information directly to the press are unequivocally lawbreakers. This is not in dispute. What Section 798 of the Espionage Act makes plain is that the same can be said about the press itself when, eager to obtain classified information however it can, and willing to promise anonymity to leakers, it proceeds to publish the government's communications-intelligence secrets for all the world to read.

VII

IF THE *Times* were indeed to run afoul of a law once endorsed by the American Society of Newspaper Editors, it would point to a striking role reversal in the area of national security and the press.

Back in 1942, the *Chicago Tribune* was owned and operated by Colonel Robert R. McCormick. In the 1930's, as Hitler plunged Europe into crisis, his paper, pursuing the isolationist line of the America First movement, tirelessly editorialized against Franklin Roosevelt's "reckless" efforts to entangle the U.S. in a European war. Once war came, the *Tribune* no less tirelessly criticized Roosevelt's conduct of it, lambasting the administration for incompetence and much else.

In its campaign against the Roosevelt administration, one of the *Tribune*'s major themes was the evils of censorship; the paper's editorial page regularly defended its publication of secrets as in line with its duty to keep the American people well informed. On the very day before Pearl Harbor, it published an account of classified U.S. plans for fighting in Europe that came close to eliciting an indictment.[9] The subsequent disclosure of our success in breaking the Japanese codes was thus by no means a singular or accidental mishap but an integral element in an ideological war that called for pressing against the limits.

During World War II, when the *Chicago Tribune* was recklessly endangering the nation by publishing the most closely guarded cryptographic secrets, the *New York Times* was by contrast a model of wartime rectitude. It is inconceivable that in, say, June 1944, our leading newspaper would have carried a (hypothetical) dispatch beginning: "A vast Allied invasion force is poised to cross the English Channel and launch an invasion of Europe, with the beaches of Normandy being the point at which it will land."

In recent years, however, under very different circumstances, the *Times* has indeed reversed roles, embracing a quasi-isolationist stance. If it has not inveighed directly against the war on terrorism, its editorial page has opposed almost every measure taken by the Bush administration in waging that war, from the Patriot Act to military tribunals for terrorist suspects to the CIA renditions of al-Qaeda operatives to the effort to depose Saddam Hussein. "Mr. Bush and his attorney general," says the *Times*, have "put in place a strategy for a domestic anti-terror war that [has] all the hallmarks of the administration's normal method of doing business: a Nixonian obsession with secrecy, disrespect for civil liberties, and inept management." Of the renditions, the paper has argued that they "make the United States the partner of some of the world's most repressive regimes"; constitute "outsourcing torture"; and can be defended only on the basis of "the sort of thinking that led to the horrible abuses

[9] If the Japanese were not paying close attention to American newspapers, the Germans were. Within days of Pearl Harbor, Hitler declared war on the United States, indirectly citing as a *casus belli* the American war plans revealed in the *Tribune*.

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at prisons in Iraq." The *Times*'s opposition to the Patriot Act has been even more heated: the bill is "unconstitutionally vague"; "a tempting bit of election-year politics"; "a rushed checklist of increased police powers, many of dubious value"; replete with provisions that "that trample on civil liberties"; and plain old "bad law."

In pursuing its reflexive hostility toward the Bush administration, the *Times*, like the *Chicago Tribune* before it, has become an unceasing opponent of secrecy laws, editorializing against them consistently and publishing government secrets at its own discretion. So far, there has been only a single exception to this pattern. It merits a digression, both because it is revealing of the *Times*'s priorities and because it illustrates how slender is the legal limb onto which the newspaper has climbed.

THE EXCEPTION has to do with Valerie Plame Wilson. The wife of a prominent critic of the administration's decision to go to war in Iraq, Plame is a CIA officer who, despite her ostensible undercover status, was identified as such in July 2003 by the press. That disclosure led to a criminal investigation, in the course of which the *Times* reporter Judith Miller was found in contempt of court and jailed for refusing to reveal the names of government officials with whom she had discussed Plame's CIA status. In the end, Miller told what she knew to the special prosecutor, leading him to indict I. Lewis "Scooter" Libby, an aide to Vice President Cheney, for allegedly lying under oath about his role in the outing of Plame.

The *Times* has led the pack in deploring Libby's alleged leak, calling it "an egregious abuse of power" equivalent to "the disclosure of troop movements in wartime," and blowing it up into a kind of conspiracy on the part of the Bush administration to undercut critics of the war. That its hysteria over the leak of Plame's CIA status sits oddly with its own habit of regularly pursuing and publishing government secrets is something the paper affects not to notice. But if the Plame case reveals a hypocritical or partisan side to the *Times*'s concern for governmental secrecy, it also shows that neither the First Amendment nor any statute passed by Congress confers a shield allowing journalists to step outside the law.

The courts that sent Judith Miller to prison for refusing to reveal her sources explicitly cited the holding in *Branzburg* v. *Hayes* (1972), a critical case in the realm of press freedom. In *Branzburg*, which involved not government secrets but narcotics, the Supreme Court ruled that "it would be frivolous to assert . . . that the First Amendment, in the interest of securing news or otherwise, confers a license on . . . the reporter to violate valid criminal laws," and that "neither reporter nor source is immune from conviction for such conduct, whatever the impact on the flow of news."

The Plame affair extends the logic of *Branzburg*, showing that a journalist can be held in contempt of court when the unauthorized disclosure of intelligence-related information is at stake.[10] Making this episode even more relevant is the fact that the classified information at issue—about which Judith Miller gathered notes but never published a single word, hence doing no damage herself to the public interest—is of trivial significance in comparison with disclosure of the NSA surveillance program, which tracks the surreptitious activities of al-Qaeda operatives in the U.S. and hence involves the security of the nation and the lives of its citizens. If journalists lack immunity in a matter as narrow as Plame, they also presumably lack it for their role in perpetrating a much broader and deadlier breach of law.

"UNAUTHORIZED DISCLOSURES can be extraordinarily harmful to the United States national-security interests and . . . far too many such disclosures occur," said President Clinton on one occasion, adding that they "damage our intelligence relationships abroad, compromise intelligence gathering, jeopardize lives, and increase the threat of terrorism." To be sure, even as he uttered these words, Clinton was in the process of vetoing a bill that tightened laws against leaking secrets. But, his habitual triangulating aside, he was right and remains right. In recent years a string of such devastating leaks has occurred, of which the NSA disclosure is at the top of the list.

By means of that disclosure, the *New York Times* has tipped off al Qaeda, our declared mortal enemy, that we have been listening to every one of its communications that we have been able to locate, and have succeeded in doing so even as its operatives switch from line to line or location to location. Of course, the *Times* disputes that its publication has caused any damage to national security. In a statement on the paper's website, Bill Keller asserts complacently that "we satisfied ourselves that we could write about this program . . . in a way that would not expose any intelligence-gathering methods or capabilities that are not already on the public record." In his book, James Risen goes even further, ridiculing the notion that the NSA wire-

[10] Whether Plame was in fact a secret agent—according to *USA Today*, she has worked at CIA headquarters in Langley, Virginia since 1997—remains an issue that is likely to be explored fully if the Libby case proceeds to trial.

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tapping "is critical to the global war on terrorism." Government officials, he writes, "have not explained why any terrorist would be so naïve as to assume that his electronic communication was impossible to intercept."

But there are numerous examples of terrorists assuming precisely that. Prior to September 11, Osama bin Laden regularly communicated with top aides using satellite telephones whose signals were being soaked up by NSA collection systems. After a critical leak in 1998, these conversations immediately ceased, closing a crucial window into the activities of al Qaeda in the period running up to September 11.

Even after September 11, according to Risen and Eric Lichtblau in their December story, terrorists continued to blab on open lines. Thus, they wrote, NSA eavesdropping helped uncover a 2003 plot by Iyman Faris, a terrorist operative, who was apprehended and sentenced to 20 years in prison for providing material support and resources to al Qaeda and conspiring to supply it with information about possible U.S. targets. Another plot to blow up British pubs and subways stations using fertilizer bombs was also exposed in 2004, "in part through the [NSA] program." This is the same James Risen who blithely assures us that terrorists are too smart to talk on the telephone.

For its part, the *New York Times* editorial page remains serenely confident that the problem is not our national security but the overreaching of our own government. Condescending to notice that the "nation's safety is obviously a most serious issue," the paper wants us to focus instead on how "that very fact has caused this administration and many others to use it as a catch-all for any matter it wants to keep secret." If these are not the precise words used by Colonel McCormick's *Tribune* as it gave away secrets that could have cost untold numbers of American lives, the self-justifying spirit is exactly the same.

We do not know, in our battle with al Qaeda, whether we have reached a turning point like the battle of Midway (whose significance was also not fully evident at the time). Ongoing al-Qaeda strikes in the Middle East, Asia, and Europe suggest that the organization, though wounded, is still a coordinated and potent force. On January 19, after having disappeared from view for more than a year, Osama bin Laden surfaced to deliver one of his periodic threats to the American people, assuring us in an audio recording that further attacks on our homeland are "only a matter of time. They [operations] are in the planning stages, and you will see them in the heart of your land as soon as the planning is complete." Bin Laden may be bluffing; but woe betide the government that proceeds on any such assumption.

The 9/11 Commission, in seeking to explain how we fell victim to a surprise assault, pointed to the gap between our foreign and domestic intelligence-collection systems, a gap that over time had grown into a critical vulnerability. Closing that gap, in the wake of September 11, meant intercepting al-Qaeda communications all over the globe. This was the purpose of the NSA program—a program "essential to U.S. national security," in the words of Jane Harman, the ranking Democratic member of the House Intelligence Committee—the disclosure of which has now "damaged critical intelligence capabilities."

One might go further. What the *New York Times* has done is nothing less than to compromise the centerpiece of our defensive efforts in the war on terrorism. If information about the NSA program had been quietly conveyed to an al-Qaeda operative on a microdot, or on paper with invisible ink, there can be no doubt that the episode would have been treated by the government as a cut-and-dried case of espionage. Publishing it for the world to read, the *Times* has accomplished the same end while at the same time congratulating itself for bravely defending the First Amendment and thereby protecting us—from, presumably, ourselves. The fact that it chose to drop this revelation into print on the very day that renewal of the Patriot Act was being debated in the Senate—the bill's reauthorization beyond a few weeks is still not assured—speaks for itself.

The Justice Department has already initiated a criminal investigation into the leak of the NSA program, focusing on which government employees may have broken the law. But the government is contending with hundreds of national-security leaks, and progress is uncertain at best. The real question that an intrepid prosecutor in the Justice Department should be asking is whether, in the aftermath of September 11, we as a nation can afford to permit the reporters and editors of a great newspaper to become the unelected authority that determines for all of us what is a legitimate secret and what is not. Like the Constitution itself, the First Amendment's protections of freedom of the press are not a suicide pact. The laws governing what the *Times* has done are perfectly clear; will they be enforced?

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Art for Sale

Michael J. Lewis

If the health of an institution can be gauged by its building activity, then no institution is healthier today than the American museum. In every direction, and no matter which vital statistics one consults, the picture is rosy: billions expended on architecture, millions of cubic feet of new space created, tens of millions of annual visitors to fill up all that space. And then there is the tangible evidence itself, in the travertine acropolis of the new Getty Museum in Los Angeles and the titanium flutter of the Guggenheim Museum in Bilbao, both of which opened in 1997 and thereby launched the current building boom.

The signal having been given, flashy leviathans soon followed in Milwaukee, Fort Worth, San Francisco, and of course New York, where the Museum of Modern Art (2004) has set a new standard for self-deprecating opulence. And still they come. Blustering additions will soon transform (among others) the Whitney Museum in New York, the Seattle Art Museum, and the pastoral Clark Art Institute in Williamstown, Massachusetts. Even the cloistered Barnes Foundation in Pennsylvania has been granted permission by a court to walk away from its suburban site to a new building in central Philadelphia. Today it is a poor museum director indeed whose valise does not contain at least one set of blueprints or schematics.

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But frantic building activity is not always healthy, or even rational, as the adventures of Mad King Ludwig or Nicolae Ceausescu may remind us. Even as the latest behemoths have collectively fashioned a new public image for the museum, other factors have been sullying that same image. A succession of prominent scandals has come to touch nearly every aspect of museum operations—funding, the acquisition and sale of objects, corporate philosophy. The effects cannot be assessed with the same numerical precision as the building statistics, at least not yet, but it is safe to say that they are anything but signs of well-being.

First was the 1999 *Sensation* exhibition at the Brooklyn Museum, which showcased the Charles Saatchi collection of contemporary art. The show was heralded by a heavy-handed and rather incendiary ad campaign featuring the slogan, "Health Warning: The Contents of This Exhibition May Cause Shock and Vomiting." Indeed they did, particularly Chris Ofili's *Holy Virgin Mary*, a painting famously bedaubed with elephant droppings and pornographic decoupage.*

In the ensuing clamor, Mayor Rudolph Giuliani sought to strike the museum's half-million-dollar monthly subsidy, insisting angrily that no citizen ought to be compelled to help pay for art that blasphemed his religion. New York's influential arts

* See "The Monotony of *Sensation*" by Steven C. Munson in the January 2000 Commentary.

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community promptly closed ranks to support the Brooklyn Museum and its director, Arnold Lehman, arguing that Ofili had a right to be as insulting as he wanted and also (without any attendant sense of contradiction) that elephant dung was no insult but rather an African form of homage.

By the time a federal court ruled against Giuliani, some surprising facts about *Sensation* had come to light, to the acute distress of the Brooklyn Museum. Saatchi, it was learned, had exercised an unprecedented degree of control over the display and presentation of his objects—overriding the museum's curatorial staff and in effect serving as his own curator. Moreover, he had been selling works from his collection, their value evidently augmented by the Brooklyn show and its overheated publicity. In effect, the Brooklyn Museum had collaborated in allowing itself to be exploited as a commercial gallery, only without sharing in the profit—making the contest between censorship and artistic freedom look in hindsight like a carefully engineered public-relations stunt.

If unethical, Lehman's activities were not technically illegal. The case was otherwise with Marion True, the curator of antiquities at the Getty Museum who is currently on trial in Italy for participating in the smuggling of antiquities. There is no question that True was involved, only about how deeply and actively she was involved.

In retrospect, it is easy to see why the Getty was a peculiarly susceptible buyer. A cash-rich but object-poor institution, it did not wade into the art market in a big way until the 1980's, by which point importing major art from Europe (with the exception of England) had become practically impossible; Italian law, for instance, strictly regulates the export of the country's cultural patrimony, and smuggled art invariably bears a spurious provenance, often in the form of a trail of feigned private collections. For a curator like True, faced with the offer of a stupendous Greek sculpture, the temptation must have been irresistible to give its documentation only the most cursory inspection.

Following the tracks of True's dealer (and co-defendant) Robert Hecht, investigators have identified other looted antiquities in prominent collections, including the Euphronios Krater, the Metropolitan Museum of Art's most celebrated vase, long known to have been smuggled out of Italy. (The museum has now agreed to repatriate the vase.) Indeed, it is becoming clear that the trafficking in illegally acquired ancient artifacts out of the Mediterranean and Near Eastern worlds is closer to a torrent than a trickle.

AS MUCH as the woes in Brooklyn and Los Angeles have titillated the public, still other ominous developments have gone overlooked. One of these is the silent scandal of "deaccessioning," the process by which a museum sells works from its collection to raise ready cash. Longstanding museum practice has mandated that such funds are to be used only to acquire other works of art, and never for general operating expenses. But this is a rule increasingly honored in the breach.

A few recent sales have particularly raised eyebrows. The Field Museum of Natural History in Chicago auctioned the bulk of its works by George Catlin, a self-taught painter who lived among the Indians of the Great Plains in the 1830's and documented their lives and customs. The museum's staff of anthropologists claimed that the work was politically offensive and of "negligible ethnographic content," providing a fig leaf for a decision that the trustees more honestly referred to as "monetizing a non-performing asset."

Worse was the sale last year by the New York Public Library of Asher B. Durand's *Kindred Spirits*, an 1848 portrait of the painter Thomas Cole and the poet/newspaper editor William Cullen Bryant. Cole founded the Hudson River School, whose ideas about the meaning of the American landscape were drawn upon by Bryant to push through his campaign to create New York City's Central Park. The painting is itself an exultant précis of local history, both financial and cultural: in 1825 the Erie Canal had opened upstate, making New York City the nation's financial capital even as it made Cole the great witness to the destruction of the Hudson River landscape, which in turn produced the cultural energy that led to the building of Central Park. Nowhere else in America could the painting mean as much as in Bryant Park, the site of the library. But here as in Chicago, another allegedly non-performing asset was "monetized."

Both the Field Museum and the library have argued that they are not art museums and that they serve different public goals. But the same voracious willingness to make a yard sale of donations has become increasingly normal in museums whose business *is* to preserve and document works of art.* Of course, this is not a new problem. Thirty years ago, the Guggenheim Museum dramatically sold off about half of its collection of Wassily Kandinsky abstractions in what was billed as a judicious "pruning." But the temptation to loot the assets can only grow worse as operating budgets become far

* See Hilton Kramer, "Deaccession Roulette," *New Criterion* (December 2005).

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greater and as inherited scruples diminish, leaving curators and boards more susceptible to rationalization of the sort practiced in Chicago.

ONE MIGHT contend that the current woes of the museum world are merely the stresses and strains of any large, complex organism, no different from those afflicting other institutions today, especially in a period of expansion, and that scandals or incidents of malfeasance can be marked down to the usual human failings of ambition, sloth, and cupidity. But if so, is there a point at which a multitude of individual failures can be said to amount to a collective crisis? Or to put it another way: is the wave of museum-building truly a sign of inner vigor, or something more akin to the sprouting of mushrooms on a long-decaying log?

A good place to begin looking for an answer is in the testimony of those most responsible for the institution. In 2001, James Cuno, director of the Harvard art museums, organized a year-long symposium featuring some of the most prominent figures in the American art establishment, including the directors of the Metropolitan Museum, the Museum of Modern Art, the Getty, the Chicago Art Institute, and the Philadelphia Museum of Art. The results of their deliberations were subsequently published in *Whose Muse? Art Museums and the Public Trust.** Although the book appeared two years ago, it is well worth revisiting in light of more recent events.

Whose Muse? is fascinating both for what it says and for what it does not say. Deaccessioning, for example, is not viewed with any great alarm. Although Glenn D. Lowry of the Museum of Modern Art refers to it disdainfully as "taking the lid off the cookie jar," neither he nor any of his fellows musters much fervor in attacking a practice that, in extremis, can offer a lifeboat to a sinking institution.

Nor do they express any urgent concern about illegally acquired art. This seems more surprising. Although Marion True's shopping spree had not yet come to light a this time, much attention had been focused in previous years on the amount of Nazi-looted art that was still unaccounted for. Since the appearance of Lynn Nicholas's *The Rape of Europa* in 1994, it was known that prominent museums, including the Boston Museum of Fine Arts and the Seattle Art Museum, held works that had been confiscated from Jewish owners who had subsequently been murdered (although, to be fair, none of the implicated museums seems to have been aware of the fact).

By the time Cuno's panel convened, however, much of the wind had gone out of that story. A presidential advisory commission had been formed to study the question, and a congressional committee had conducted hearings. Like the controversy over deaccessioning, the whole issue of improperly acquired art must have struck Cuno's contributors as regrettable but best passed over. Both practices, after all, are as old as museums themselves, and criticisms of them by directors can have something of the quality of loan sharks speaking out against the breaking of legs—an unfortunate practice, to be sure, but part of the cost of doing business.

OF GREATER interest to the panel were not the perennial vices of museology but the novel ones. In particular, the directors express genuine alarm over the willingness of an august institution like the Brooklyn Museum to lend its reputation and authority to a marketing gimmick. What they clearly fear is that the protracted public spectacle—the sensation over *Sensation*—will come to taint them as well. Public faith in the authority and integrity of museums is their greatest intangible asset, and what has been patiently stored up over the ages stands in danger of being fecklessly squandered in a single generation. To Lowry, strongly seconded by Philippe de Montebello of the Metropolitan, the Brooklyn scandal is not simply a shabby act of collusion between a museum and a collector but a far-reaching "breach of public trust."

Under normal circumstances, museum directors are loath to say a word against a fellow director or sister museum, and certainly not in public. In this instance, the impulse to dissociate themselves from Lehman seems to have proved stronger than the constraints of collegial solidarity. Even more remarkably, the directors also choose to dissociate themselves from another figure whose career had been widely regarded not as a scandal at all but as the success story of his generation. This is Thomas Krens, the flamboyant director of the Guggenheim.

An art historian who later acquired an MBA, Krens became director in the late 1980's and quickly won fame for applying the principles of modern corporate management to the world of the museum. But it was not so much efficiency and rational cost-accounting that he brought to the Guggenheim—far from it—as the bold risk-taking and aggressive expansionism that was a hallmark of the corporate culture of the mid-1980's, when it began to seem to many that the path to success lay less in innovative products or processes than in clever financial arrangements.

* Edited by James Cuno, Princeton University Press and Harvard Art Museums, 208 pp., $29.95.

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Kren's first major initiative was the Guggenheim Museum in Bilbao, Spain. There he drew on the modern concept of the franchise, in which corporate identity is licensed in the fashion of a restaurant chain. As an example of the imaginative financial arts, the Bilbao project was without peer: Krens identified an underutilized asset—the enormous amount of Guggenheim art in permanent storage and unseen by the public—and matched it with a potential market—the untapped tourist resources of the Basque country, a picturesque but economically distressed region conveniently perched for easy travel from London and Paris. All that he needed was the *frisson* of publicity, and this he achieved with Frank Gehry's expressionist tempest of a shimmering metal-sheathed building.*

By every measure, Bilbao was a thundering success, both for the Guggenheim and for the Basque province. Flush with that success, the trustees authorized Krens to launch a flotilla of satellite Guggenheims, including one in Switzerland, one in Brazil, and one on the East River in New York. Weirdest of all was one in Las Vegas, an unlikely partnership among the Guggenheim, the Hermitage in Russia, and the Venetian Resort Hotel-Casino.

Even as he expanded his network, Krens was also radically changing the tone of the Guggenheim's exhibitions. Viewers who remembered when the Guggenheim debuted as the Museum of Non-Objective Art could be forgiven their perplexity when confronted in 1998 by an exhibition of the motorcycle, an objective object showcased by the Guggenheim in a massive, crowd-pleasing jubilee. The motorcycle show, moreover, was underwritten by BMW, signaling yet another change: where Lehman had made a pitiable effort to conceal the commercial nature of *Sensation*, Krens brazenly celebrated his commercial connections. In 2000, the Guggenheim hosted an exhibition devoted to Giorgio Armani, for which it happily accepted a donation of $15 million (or so the figure has been reported) from the clothing designer.

IT WAS in part for acts like these that the *New York Times* suggested in early 2002 that Krens had overreached himself. At around the same time, a *Village Voice* piece entitled "Downward Spiral" called for Krens's resignation on grounds of malfeasance. The author, Jerry Saltz, pointed out that with each successive exhibition, "the Guggenheim looks a lot less 'visionary' and a lot more dubious, with each branch set up to support another branch. The business world calls this leveraging. The street calls it a shell game."

Indeed, the strutting style was proving to be the perfect embodiment of a feckless and ultimately foolhardy policy, as, in the post-Bilbao years, the balance sheets of the Guggenheim fell increasingly short of expectations. The shipping of art treasures from St. Petersburg for display in a Venice-themed museum in the Nevada desert—which must have seemed like visionary globalism at the time—proved something of a boondoggle; the museum, opening a month after the attacks of 9/11, was quickly mired in financial troubles. The East River museum, slated to be another cyclone of whirling titanium, was heralded in a massive Gehry exhibition—a naked use of the museum's facilities to generate its own publicity—but the publicity did not help, and the project was quietly shelved. And so forth.

In brief, the same corporate chain that had lifted the Guggenheim operations in the 1990's now worked to pull them down. As early as 2000, as *Whose Muse?* points out, the museum was digging deep into its reserves to cover expenses. In that year alone, over $10 million was pried from the endowment, leaving a shockingly small reserve of $37 million for an institution of global aspirations with, at the time, debts in the amount of $28 million.

Throughout his tenure, Krens, perhaps modeling himself on the developer Donald Trump, has cultivated a brash and confident persona as a marketable asset in its own right. But in the business world, failure is normal and expected, and bankruptcy, which Trump has already seen once, is no disgrace. Things are otherwise for a museum, at least in the eyes of the museum establishment. True, a museum—particularly in a capitalist country with no tradition of royal or aristocratic patronage—resembles a business in many ways. But it also resembles a church, in that, whether the audience is two million people or two, it purports to teach truths and to conserve things that are both eternal and of intrinsic value. True, too, a museum collection is an asset—but not in the sense of a stock portfolio to be traded (through deaccession), mortgaged (through partnerships with commercial parties), or gambled (through a Ponzi-like pyramid of interlocking and costly building initiatives). Rather, the assets of a museum more closely resemble the passengers of an ocean liner, whose safety the captain is duty-bound to preserve.

And herein lies the real concern of the respectable wing of the art establishment as represented in *Whose Muse?*—namely, that the wheeling

* I discussed this project in "From Bauhaus to Bilbao," COMMENTARY, September 2001.

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and dealing of figures like Krens and Lehman betoken an ominous and potentially catastrophic shift in the core ethos of museums, a sign of worse things to come.

TO ACCOUNT for this development, the participants repeatedly invoke three interrelated factors: modern corporate culture; an increasingly jaded and entertainment-satiated public; and the radical expansion of the goods and services provided by museums, which has transformed them from places of intense and personal aesthetic encounters to something more like multifaceted amusement centers.

All three factors are clearly at play, and act reciprocally on one another to maximize the mischief. But unacknowledged by Cuno's panel is that all three have their roots well over a generation ago, and in the heart of the establishment itself. It was in 1978, after all, that Thomas Hoving organized the Metropolitan's celebrated King Tut exhibition, perhaps the single most spectacular museum success in American history.

What that success told trustees, including at the Metropolitan, was that there was a large and mostly untapped potential audience that might be lured into museums with the right kind of material and the right kind of publicity. Such an audience was likely to be motivated less by aesthetic hunger than by an itch for novelty and spectacle, and it could bring in a great deal of cash.

Ever since then, museum trustees have judged the relative success or failure of exhibitions by the box office. So, necessarily, have curators, even though they have had to witness their own status fall as a byproduct of this same process. Where once curators comprised the principal staff of museums (in some small museums, the only staff), they have now become merely one division in a far-flung operation comprising education and public relations, special events and security, preparations and gifts shops—a terrifically expensive business in which the centrality of their own role could not help being eroded.

Something of this sort has even happened at the Museum of Modern Art, until recently America's greatest curatorial success story. Since the Modern was founded in 1929, its historical exhibitions have been of intense interest to contemporary artists. Indeed, the careers of figures as diverse as Jackson Pollock, Adolph Gottlieb, and John Flannagan are unthinkable without their formative encounters with the great roster of pre-war shows at the Modern: *African Negro Art* (1935), *Prehistoric Rock Pictures in Europe and Africa* (1937), *Twenty Centuries of Mexican Art* (1940), and *Indian Art of the United States* (1941).

But the museum's string of distinguished curators—including Alfred H. Barr and William Rubin—came to an end with the resignation of Kirk Varnedoe in 2001; since then, it, too, has shifted to a corporate rather than a curatorial model. Such is the burden of Jed Perl's withering essay, "Arrividerci MoMA," in the *New Republic* (February 6), tracing the "transformation of what was once a chaotically creative institution into a well-oiled business-model museum." It can only be mortifying for Glenn Lowry, who in Cuno's volume tries so scrupulously and diplomatically to point out where the Guggenheim went wrong, to be exposed here as "a suaver version of Thomas Krens."

The fact is, however, that curatorial authority is everywhere on the wane, if seldom so dramatically as in the so-called Boston Massacre of 1999. In this incident, the Boston Museum of Fine Arts fired eighteen curators and longtime staff members in a single day. It was in the wake of that trauma that the Association of Art Museum Curators was belatedly formed in 2002. Yet even with this professional organization in place, it is difficult to know what possible response a curator could make, for instance, to an admonition I recently overheard issuing from the mouth of a museum's events planner: "You must not forget, we are the profit center."

BUT RELIANCE on tickets and gift sales is not the only factor warping the institution. In fact, box-office receipts cover but a fraction of museum expenses, with the rest being made up through the support of philanthropic foundations. This brings its own distortions and compromises. Increasingly unwilling to give for reasons of prestige or pure philanthropy, charitable foundations require results-oriented accounting, which by definition measures only that which is measurable: not only visitors and sales but also size of staff and value of endowment, number of exhibitions and new acquisitions, physical plant and cubic capacity. From this angle of vision, it is no easy task to explain why an impeccable exhibition of Byzantine art seen by 10,000 at the Metropolitan is intrinsically "better" than a motorcycle exhibition seen by 100,000 at the Guggenheim.

Finally there is perhaps the most pernicious consequence of the franchise model, which is the implied suggestion that, like big-box stores, art museums can be instruments of urban renewal. Each of

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Krens's first two building projects—the Bilbao Guggenheim and Mass/MoCA in North Adams, Massachusetts—was sold to local authorities as a means of revitalizing an economically shipwrecked town. The lesson has not been lost on foundations. Where a generation ago they routinely judged the educational value of an exhibition, today they are more likely to ask a museum—as James N. Wood, the former director of the Chicago Art Institute, puts it—to "justify yourself in terms of your economic impact on the community."

To all this it can be retorted, truthfully, that no museum was ever built strictly for the purpose of providing solitary aesthetic pleasure, and that museums have always served an agenda. This was certainly the case for the great museums of Germany, the first to be built expressly for the public display of art. The Altes Museum in Berlin and the Glypothek in Munich, both completed in 1830, established the canonical type: a classical marble temple with a grand public hall, around which the objects of the past were arranged in sequence. This was not a connoisseur's cabinet of curios, as with earlier museums, but a comprehensive totality, organized so as to show the unfolding pattern of development and style.

Thus, from the beginning, the museum was an instrument of civic education. Even the classicism of the façade, linking it to other neoclassical public buildings, served an instrumental function, enjoining the visitor to apply the lessons he learned within to his civic life without. Compared with Karl Friedrich Schinkel's great Altes Museum in Berlin—whose purpose was to inculcate Prussian virtue—Krens's vision of the museum as an engine of economic renewal may not seem so far out.

Nor is it intrinsically wrong to use art as an instrument of policy. The great art of the past, from the Parthenon to Chartres to the Sistine Chapel, has never been thought less of for having been created to teach a moral or civic lesson. Problems begin only when the instrumental considerations become so predominant as radically to subvert the viewer's experience of the art itself.

This, alas, is soon to be the case with the Barnes Foundation, the private collection established by Albert Barnes outside Philadelphia in 1925 and now to be uprooted and moved to the city. Although, unmentioned in *Whose Muse?*, and indeed still ignored by the art establishment as a whole, what is happening here is an act of cultural vandalism far more serious—because irreversible—than the gambols of the Brooklyn Museum.

Barnes's fortune was made by a great humanitarian invention: eye drops that prevented a baby from being infected by any disease (especially syphilis) carried by its mother as it passed through the birth canal. With his wealth he amassed a priceless collection of early modern art, including a stunning array of Cézannes and early Picassos. But after his debut exhibition was snubbed in a local newspaper, Barnes defiantly turned his back on Philadelphia and the art establishment alike, reserving access to students. Even in death, Barnes continued to bait Philadelphia: his will placed the foundation under the control of Lincoln University, a historically black college that, to patrician Philadelphia, stood on the wrong side of every possible set of tracks.

Within months of Barnes's death, Walter Annenberg, another Philadelphia collector of distinction, brought suit to open the Barnes Foundation to the public. As a Jew, Annenberg was as much an outsider as Barnes, but he was also a conspicuous foe of Philadelphia's system of trusts by which patrician privilege was maintained. His suit was unsuccessful, which may have contributed to his decision to bequeath his own collection to the Metropolitan in New York. Nonetheless, over time, the strictures of Barnes's will were gradually loosened, first to permit casual visitors and then the lending of objects.

And so things would have remained, along with Barnes's wildly eccentric hanging scheme. At the Foundation, paintings are grouped not by artist or style but by compositional structure, with no wall titles, labels, or other didactic materials permitted to sully one's formal encounter with the paintings. Thus devoid of curatorial cues, the Barnes may be a poor place to teach art history, but it is the country's finest place to look at art.

This experience will now vanish. In late 2004, court approval was granted to the trustees to relocate, ostensibly in order to allow greater public access to the collection. In bringing their suit, however, the trustees had showed no interest in exploring alternative means of getting visitors to the crowded suburban site, such as a shuttle system of the kind successfully used by the Getty in Los Angeles. From the beginning, the intention was far more ambitious: to transform an eccentric and secluded private institution into the one thing that Barnes did not wish it to be: a world-class public museum.

Enter now the philanthropies. Like the project to build a new home for the collection on the Benjamin Franklin Parkway in Philadelphia, the

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trustees' suit was underwritten by a consortium of philanthropic institutions led by the Pew Charitable Trust. Given that Barnes's collection has been estimated to be worth about $25 billion, the $150 million amassed for the move can be regarded as one of the great garage sales of all time. Barnes's little reliquary of a museum—designed by Paul Cret, sculpted by Jacques Lipschitz, and painted by Henri Matisse—was designed for the objects it contains. It was, one might say, an installation piece, on a grand scale. Dismantled into its constituent parts and removed from its context, it will offer something far diminished—an instance of more people getting to see less.

No one would think the world better off if the paintings of Lascaux were taken from their lonely caves and installed in the Louvre, or if the ceiling of the Sistine Chapel were dropped and brought closer to the eye. Or perhaps the Pew Trust would. So, at least, runs the Benthamite calculus that increasingly governs the museum world—and if not its directors, then the funders and trustees to whom they are accountable.

ONE MUST not exaggerate the ill effects of making art museums more popular. In an age distracted by video games, the charms of the Internet, and a welter of electronic diversions, it is startling and heartening to see young crowds pour into a museum, as I did at the recent Salvador Dali show in Philadelphia. While the overall spectacle awaiting them inside might represent a certain dumbing-down from Byzantine gold, compared with almost any other modern amusement option it can only represent a smartening-up.

In other respects, too, the crisis of museums is not as dire as some accounts suggest. Despite the blaze of bad publicity that Marion True has brought upon the Getty, she does not exemplify any fundamental failure of the museum itself. She has done what every great museum-builder has always done, from Pope Julius II to Napoleon to Lord Elgin, and her crime, if any, is one of bad timing: the strict export laws she is accused of violating are of recent vintage.*

But there *is* a good reason for lamenting the state of the museum today, albeit one not cited by Cuno's refreshingly honest panel. This is that those who are charged with the stewardship of art no longer seem able or willing to defend it on the one ground on which it matters. It is true enough that a work of art can serve to entertain, to educate, to catalyze a social interaction, perhaps even to resuscitate a moribund town. So can other things. At their best, works of painting, sculpture, and architecture are something else entirely: the highest physical manifestations of a civilization—its aspirations, its ideals, its accumulated experience, its conversation with itself over the ages.

Works of art are not only products of civilization, but carriers as well, both fruit and seed. The Renaissance, after all, was made possible by nothing more than a meaningful confrontation with the fragmentary remains of the art and literature of classical antiquity. But while the belief in the existence and value of a civilization, particularly Western civilization, was once universally accepted, the term civilization itself has virtually been laughed out of the academy, which is precisely where museums must look for champions.

The result has been the formation of a professional museum corps with the highest standards of training and work ethic, but whose relationship to the objects with which it has been entrusted is on the whole managerial and procedural. If called upon to defend these objects as precious relics of civilization, many would find themselves incapable of doing so without embarrassment, or simply incapable altogether. From this perspective, it is no wonder that museum directors should have entered so enthusiastically into the culture of box office and sensationalism precisely when they did—at the moment when, throughout the academic and intellectual world, it was becoming unfashionable, if not illegitimate, to speak of art as art, let alone to draw meaningful distinctions between a motorcycle and a Michelangelo.

Montebello, Wood, and their peers at the heart of the establishment are, still, exceptions to the trend. But what of their successors? So long as museums can still justify their role by reference to the civilized and civilizing nature of high art, they can arguably survive commercialism, personal immorality, and arrogant megalomania. They can even survive the swanky hangar-sized halls into which they are now moving. When that is no longer the case, all the stop-gap insistence on ethics, curatorial responsibility, and public programs will be as nothing—a veneer of borrowed respectability on a show long since given over to the heirs of P.T. Barnum.

* The laws are also wreaking havoc on archaeological finds. By punishing trafficking in antiquities, they have created an irresistible motive to conceal the site of a discovery—often the only key to an object's history and meaning.

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What Is a Bush Republican?

Daniel Casse

In 1976, when he first ran for the Republican presidential nomination against Gerald Ford, Ronald Reagan was generally seen as the leader of a fringe movement, audaciously challenging the moderate, business-focused establishment of the party. Today, 25 years after Reagan assumed office, it is hard to exaggerate his influence on American politics in general and on the conservative movement in particular. Many of the once-controversial elements of his philosophy—tax cuts to spur economic growth, a build-up of American defense forces, confronting totalitarianism abroad, an end to welfare dependency at home—are today embraced by most (but not all) Republicans and even some Democrats, and the conservative movement he headed has effectively become the established core of the GOP. This transformation has been one of the great ideological triumphs in American politics.

Yet, for much of the tenure of George W. Bush, the man most often said to have inherited Reagan's mantle, conservatives have been voicing dismay over the state of their movement. Over the past year, significant fissures have opened up within the old "Reagan coalition" over foreign policy, immigration, and other issues, but most especially over the growth in federal spending and the size of government. Indeed, a number of conservatives have recently taken to arguing that the expansion of government programs under Bush amounts to an out-and-out betrayal of Reagan's legacy.

Does this matter? As controversial as Bush's domestic record has been, his reputation as a President will almost certainly depend on the success or failure of our campaign in Iraq and the war on terror. Although his management of that effort has been the subject of harsh criticism from some Republicans and conservative columnists, relatively few are prepared to say that the effort itself is at odds with Reaganism.

Even in the area of domestic policy, moreover, Bush's record has won universal praise from his conservative base on at least some issues. His 2001 tax cuts are widely credited with having turned around a moribund stock market. Despite a slowdown in the fourth quarter of 2005, the economy has performed strongly over the past two years, with inflation, unemployment, and interest rates all at satisfyingly low levels. The successful appointment to the Supreme Court of two solidly conservative judges has burnished Bush's stature among legal conservatives who were momentarily chagrined by the fiasco of the Harriet Miers nomination. His uncompromising stands on abortion and gay marriage are likewise deeply appreciated. Nor has Bush ever been coy about the centrality of his religious faith, which, whether it has informed policy-making or not, has given him a deep personal tie with Christian conservatives and evangelicals.

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But beneath and despite all this, there is a rankling discontent over the escalating size and scope of government under Bush, and over the sins of corruption and self-dealing that are seen to be its inevitable accompaniment ("that closed, parasitic culture of convenience," as Andrew Ferguson wrote in the *Weekly Standard*, "with its revolving doors, front groups, pay-offs, expense-account comfort, and ideological cover stories"). More and more frequently, in one form or another, it is said that Bush has led both conservatives and the GOP in an unprincipled and politically risky direction. The charge now shadows the mid-term election cycle, even as it sets the stage for a more contentious battle over the choice of Bush's successor in 2008.

GRUMBLINGS OVER the state of core conservative principles reached a crescendo this past January when the lobbyist Jack Abramoff pleaded guilty to charges of fraud, tax evasion, and bribery of public officials. A high-profile figure in Washington circles, Abramoff had been a close ally of the conservative activist Grover Norquist and through various schemes and front groups had funneled hundreds of thousands of dollars to Republican Congressmen. Aiming a barbed arrow at the heart of the Bush administration, Peggy Noonan, a former Reagan speechwriter, excoriated the susceptibility of too many Republicans to the enticements of a free-spending government. "Political corruption," she wrote in the *Wall Street Journal*, "is always more likely when you fall in love with the steamroller."

The Abramoff implosion, loud as it was, capped a long period of steadily mounting conservative resentment at the administration's spending habits. "What we have now is a President who spends like Carter and panders like Clinton," complained Veronique de Rugy and Tad DeHaven, two analysts at the libertarian Cato Institute, in 2003. The signing of a particularly bloated transportation bill last July impelled George Melloan of the *Wall Street Journal* to assert that "Bush has few peers among American Presidents in his willingness to let Congress spend as freely as it always wants to do." More recently, the President's plan to spend more than $100 billion to rebuild New Orleans and the Gulf Coast in the wake of Hurricane Katrina led to what the *Washington Post* described as the "loudest and most widespread dissent Bush has faced from his own party since it took full control of Congress in 2002." And projections of still growing deficits in the most recent federal budget have once again unleashed charges that the administration has wandered disastrously from the Reaganite path. As Jonah Goldberg charged in *National Review*, "too many in the GOP have felt the rush that comes with giving out other people's money. . . . We have confused 'low taxes'—which we all like—with limited government, which we don't have."

NO ONE has made the case more forcefully than Bruce Bartlett in his new book, *Impostor: How George W. Bush Bankrupted America and Betrayed the Reagan Legacy*.[1] In its tone of outright contempt for the President, the book is reminiscent of anti-Bush screeds by left-wing journalists like Molly Ivins or David Corn. But its substance is not so easily dismissed. For many years, Bartlett, an expert on the federal budget, has been a respected observer of and participant in Republican politics, holding Treasury posts in both the Reagan and George H.W. Bush administrations and serving on the Joint Economic Committee of Congress. In hundreds of newspaper columns over the last two decades he has cogently made the case for policies of low taxation and limited government.

But in the last few years Bartlett has become something of a Republican apostate, at least when it comes to this administration. Most of Bush's governing philosophy, he charges in this book, is not just at odds with but antithetical to the traditional conservative agenda. So great is the economic damage wrought by Bush's policies, in Bartlett's judgment, that it can be reversed only by means of dramatic tax increases—a stunning conclusion from one who has devoted much of his career to arguing for supply-side tax cuts.

In the opening pages, Bartlett summarizes both his credentials and the essence of his case:

> I write as a Reaganite, by which I mean someone who believes in the historical conservative philosophy of small government, federalism, free trade, and the Constitution as originally understood by the Founding Fathers. On that basis, Bush is clearly not a Reaganite or "small c" conservative. Philosophically, he has more in common with liberals, who see no limits on state power as long as it is used to advance what they think is right. In the same way, Bush has used government to pursue a "conservative" agenda as he sees it. But that is something that runs totally contrary to the restraints and limits to power inherent in the very nature of traditional conservatism.

[1] Doubleday, 320 pp., $26.00.

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The list of Bartlett's grievances is lengthy. Whereas Reagan-era policies stressed the importance of small business, the Bush administration prefers to bestow its favors on large companies, reviving the big-business corporatism that characterized Republican politics of the Eisenhower era. Where pro-growth conservatives stand for multilateral free trade, the Bush administration has pursued select free-trade agreements while raising protectionist subsidies for American agriculture, a move reminiscent of Herbert Hoover. On domestic social policy, Bartlett groups Bush with Richard Nixon, wondering aloud whether history will judge them as "two superficially conservative Presidents who enacted liberal programs in order to buy votes for reelection."

Eisenhower, Hoover, Nixon—these names, in some conservative circles, are like red flags. But do the charges hold up? On inspection, the evidence for each is decidedly mixed.

While Bush's policies do seem to have benefited large corporations, small-business owners have not been complaining. To the contrary, they have loudly applauded his tax cuts and his support for litigation reform, and, according to the National Federation of Independent Business, they are more optimistic about economic conditions today than at any time in the past 30 years. On trade, it is true that Bush has pursued imperfect regional agreements (just as Reagan himself initiated a bilateral U.S.-Canada agreement) in lieu of multilateral pacts. But Bartlett barely acknowledges the unwillingness of the European Union to lower its own agricultural subsidies—a central obstacle to freer global trade. Finally, while Bartlett offers anecdotal evidence that earlier Treasury departments were more thorough in their vetting procedures, he seems to have forgotten the improvisational nature of some of Reagan's economic policies. David Stockman, the chief of the Office of Management and Budget in the first Reagan term, would famously recall how he and Defense Secretary Caspar Weinberger arbitrarily arrived at cuts in the defense budget while locked in negotiations.

Indeed, Bartlett's analysis is altogether reminiscent of the sky-is-falling tenor of Stockman's 1986 memoir, *The Triumph of Politics*, written after he resigned as White House budget director and bearing the subtitle, "How the Reagan Revolution Failed." Stockman believed that Reagan's unwillingness to cut spending doomed future generations to fiscal peril. In *Impostor*, Bartlett makes a similar argument. His own agent of impending calamity is the Medicare Modernization Act of 2003, passed by Republicans at the insistence of the President and, by Bartlett's lights, the "worst legislation in history."

The 2003 bill created, for the first time, a prescription-drug benefit as part of the Medicare entitlement program, which until then had provided reimbursement only for hospital care and doctors' visits. As a matter of public policy, analysts had long decried the anomaly of a program that paid for expensive bypass surgery but not for the far less costly statin medicines that can help prevent heart attacks in the first place. As a political matter, many also believed that this was an opportunity Republicans could not pass up; Democrats had been successfully exploiting the issue for partisan gain since Reagan's time.

Dismissing the claims of a political upside to Bush's move, Bartlett focuses instead on how the initial projections for prescription-drug coverage had vastly underestimated the program's long-term costs. Since then, the Medicare Trustees, an independent group, has raised its own long-term estimates still further, projecting, over the next 75 years, more than $8 trillion in drug entitlements with no funding source in sight. Hence Bartlett's view that, absent drastic reductions in benefits, only higher taxes can avert fiscal disaster.

It is certainly true that, so far, the legislation has brought Bush little political benefit. Moreover, implementation of the plan beginning this past January has been so rocky, leaving some of the most financially vulnerable seniors without their prescription medicine, as to overshadow all else. Nor do most health-care actuaries and budget experts disagree with Bartlett that longer-term costs are the real problem.

The same goes for the many conservative activists who have echoed Bartlett's arguments. Stephen Moore, until recently the head of the Club for Growth, a fundraising organization for free-market political candidates, said that his group could not "in good conscience support [this] largest entitlement expansion in decades." Former House majority leader Dick Armey declared that "the conservative, free-market base in America is rightly in revolt over" the plan. *The Wall Street Journal* described the legislation as a "Medicare fiasco."

And yet it must be said that there is something peculiar about these cries of alarm from veteran Washington observers. The unfunded liability of the entire Medicare program has not exactly been a secret. Although the addition of a drug benefit certainly compounds the problem, it has hardly created a substantially new one.

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The liability of the drug benefit over the next 75 years is estimated at $8.7 trillion; the liability of the hospital and doctor-visit components of the Medicare program already in place is nearly three times that figure. In the words of Gail Wilensky, a former head of the federal Medicare and Medicaid programs, "this is not a fundamentally different problem." The real debate concerns how Congress should eventually contain the costs: through regulation and price controls, or through market mechanisms and means testing. It is long past time for that desperately needed debate to begin, and the addition of a prescription-drug benefit—which was bound to occur at some point or other—will surely hasten it.

There is, besides, good news in the drug bill itself. Among its provisions are three significant reforms that conservatives have been advocating for years but that have received scant attention from Bush's critics. The first is the creation of health savings accounts for seniors, which give individuals far greater control over their spending decisions. The second allows private-sector insurance companies to compete in offering seniors their choice of drug-coverage plans. This has already shown more impressive results than predicted: in late January, the *Wall Street Journal* reported that the new Medicare benefit had sparked "a competitive scramble in the health-insurance industry," with companies vying to lower costs.

The third reform is both the most overlooked and the most important. Starting in 2007, high-income seniors will see their Medicare subsidies for doctor visits drop from 75 percent to 20 percent of the bill. That the federal government should have been providing any Medicare subsidy at all to wealthy retirees is a puzzle unto itself, but the short answer is that Democrats in Congress have fiercely resisted any significant reform of the benefit structure of Medicare that might change its status as a universal entitlement. Therein lies precisely the value of this reduction. It advances a long-sought conservative goal—beginning to wean the wealthiest seniors from taxpayer-funded coverage—and sets a precedent for battles yet to come.

If, indeed, conservatives are ever to achieve a fundamental reform of Medicare through means testing and market competition, they will inevitably have to build on the changes introduced in this bill. That many of Bush's conservative critics have failed to grasp this simple truth is a telling comment on the degree to which their narrow focus on the raw dollar amounts of government spending has blinded them to their own ideological interests.

INTRODUCING INCREMENTAL conservative reforms into big-government programs has become, in fact, something of a hallmark of George W. Bush's brand of governance. Two years ago in these pages, I argued that he was, in piecemeal fashion, offering up what amounted to a new version of conservatism.[2] Rather than focusing on the sheer size of the federal government, he was focusing on outcomes and how to produce them.

Thus, in education, he supported a costly spending bill in exchange for establishing a hitherto unheard-of emphasis on testing at the state level. To alleviate poverty, he set out to harness the work of the faith community as a complement to, if not a substitute for, the work of welfare bureaucracies. To reform Social Security, he proposed a gradual—and again costly—transition to private retirement-savings accounts. To reform Medicare by encouraging more Americans to choose individual health-savings accounts with high deductibles will likewise be costly, requiring deficit-ballooning tax incentives that, according to the latest budget, are projected to deprive the government of $60 billion in revenue over the next five years.

To be sure, Bush has still not succeeded in delivering on many of his proposals. Nor, despite the use of inadequate slogans like "compassionate conservatism" or "the ownership society," has he ever presented them as constituent elements of a coherent philosophy. To the contrary, his advocacy of import restrictions on steel, and the Department of Energy spending initiatives announced in his latest State of the Union address, smack more of liberal industrial policy than of any conservative aim. In that sense, it is hardly surprising that some conservatives are as bewildered as they are angry.

In a welcome new book, Fred Barnes of the *Weekly Standard* has set out to remedy the lack of a consistent thread to Bush's proposals while countering the "bickering and grousing" of discontented conservatives.[3] According to Barnes, Bush has achieved something for everyone in the Republican coalition: supply-side tax cuts, an idealistic foreign policy, the concept of private accounts for Social Security, the appointment of strict constructionists to the federal bench, staunch opposition to abortion and gay marriage. Is there a philosophy in this smorgasbord of policies? Barnes argues that there is: "coherence rests with the three words and one institution that sum up Bush conservatism. The

[2] "Is Bush a Conservative?," February 2004.

[3] *Rebel-in-Chief: How George W. Bush Is Redefining the Conservative Movement and Transforming America.* Crown Forum, 224 pp., $23.95.

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words are choice, accountability, and freedom. The institution is a strong national government."

Barnes's pithy formulation is unlikely to satisfy the angry conservatives, or to silence calls for small government. But it does convey accurately enough the direction of "Bush conservatism"—and it does undeniably comport with political reality. As unpalatable as it may be for some conservatives, the fact of the matter is that reducing the size of government no longer resonates with Americans as it once did. In 1996, when a *Washington Post* survey asked respondents if they favored smaller government providing fewer services, 63 percent said yes; by mid-2004, the proportion had fallen to 50 percent.

Does this mean, as Bush's critics contend, that thanks to him the Reagan revolution really has failed? Hardly: the declining place of "small government" in the list of public priorities needs to be seen in the twin context of conservative triumphs over the past 25 years and the arrival of new anxieties—terrorism, homeland security, retirement, health care—that are unavoidably the province of "strong national government." Advising Republicans to raise again the fallen banner of small government is thus no recipe for success, ideological or political. "Just as socialism [is] no longer the guiding goal for the Left," wrote the *New York Times* columnist David Brooks on the eve of the Republican national convention in 2004, "reducing the size of government cannot be the governing philosophy for the next generation of conservatives."

There are other pitfalls as well in concentrating on the ways in which Bush falls short of the Reaganite ideal of conservatism. In the first place, it overlooks the many other ways in which he is *more* conservative than Reagan. Take, for instance, gay marriage, stem-cell research, and cloning—contentious moral issues that never confronted Reagan, that are fraught with political risk, and on which Bush has adopted clear and consistently conservative positions. He has also been arguably more active than Reagan when it comes to proposing and defending conservative nominees to the federal bench. Although they have not yet met with success, his proposals for private accounts in Social Security, a permanent end to the estate tax, and market-oriented health-care reforms as outlined in this year's State of the Union address bring conservative ideas into policy realms never explored during the Reagan era. In the area of national security, he has expanded the homeland-security apparatus and been unhesitant about using executive-branch powers to track suspected domestic terrorist activities. In foreign policy, his uncompromising determination to defeat global terrorism has led him to be much less sparing in the use of force than Reagan ever was.

Nor, speaking of pitfalls, should one forget that Reagan's two terms in office were full of contradictions of their own. Reagan's speeches may have excoriated Congress for its failure to send him balanced budgets, but his (admirable) build-up of defense expenditures made such a balanced budget impossible. His embrace of supply-side tax cuts was countered by the tax increases he signed in 1982—at the time, the largest in American history. Reagan also did not hesitate to spend more to help favored industries like agriculture and timber.

To purists, the principles of conservative thought are immutable. But the last quarter-century disproves this notion, too. Reagan's own success was due in large part to his willingness to shake off conservative orthodoxies that had persisted since the Harding administration. Unlike his predecessors, Reagan never expressed an open hostility to the New Deal; he undertook his tax cuts even though they were anathema to balanced-budget conservatives; and he was undeterred by old-fashioned Republican scruples when it came to deficit spending. Fourteen years later, Newt Gingrich's Contract with America once more shook up the conservative agenda, introducing term limits, welfare reform, and tort reform as top legislative priorities. At the same time, Gingrich gave speeches about smart environmental regulation and market-driven health care, issues once thought to be the exclusive preserve of the Democratic party.

In their very useful history of conservative politics in America, the British journalists Adrian Wooldridge and John Micklethwait point to the distinguishing feature of recent conservative thinking: in line with its electoral successes, it has moved from a reactive to a "preemptive" mode.[4] Since Reagan, conservatives have no longer been content to restrain liberal tendencies. Instead, they have, if in a sometimes erratic way, striven to build a new governing agenda. This, too, Bush has done.

What remains true, of course, and what even those who vigorously applaud his agenda must concede, is that his many failures of execution along the way have damaged the movement's ability to build a confident political coalition. The "enduring mystery about the Bush administration," wrote David Frum last fall, "has been the strange disparity between the boldness of the President's strate-

[4] *The Right Nation: Conservative Power in America.* Penguin, 464 pp., $25.95.

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gies and the extreme caution of his tactics." The result has been to impede the formation of a working alliance in a manner analogous to Reagan's uniting of Christian fundamentalists, libertarians, foreign-policy hawks, and business leaders. The most conspicuous evidence of this failure is the fact that, after five years in office, Bush lacks any clearly identified, high-level surrogates who can publicly make his case for him or even claim to speak for the "Bush wing" of the Republican party. On Sunday-morning talk shows, Republican spokesmen—one thinks of Senator John McCain of Arizona, or Senator Chuck Hagel of Nebraska—are as likely to be White House critics as supporters.

WILL FUTURE Republican candidates be running on platforms that endorse, or that repudiate, George W. Bush's mix of an ambitious foreign policy and strong-government conservatism? More specifically, will any of the GOP candidates for President in 2008 be running as a "George W. Bush Republican"? And if so, what would that mean? In answering such questions, political reporters, who over the last decades have tended to categorize Republicans as either "conservative" or "moderate"—usually according to a politician's position on abortion—will have their work cut out for them.

So far, in any case, none of the potential candidates can be quickly identified as either a "Reagan" *or* a "Bush" Republican. McCain, for example, who describes himself as pro-life, voted against both the Medicare drug bill and the 2001 Bush tax cuts; he has also been the leading voice in favor of campaign-finance legislation, a cause disdained by most conservatives. Governor Mitt Romney of Massachusetts, another potential contender, promotes himself as an "economic hawk" but has spoken out forcefully against gay marriage. Former New York Mayor Rudolph Giuliani, who continues to tease the press with hints of a run, has a long record of support for both abortion and gay rights, even as his tenure as mayor showed him to be an intractable opponent of liberal bureaucracy and the welfare-state mentality of urban Democrats. Other possible candidates, including Senator George Allen of Virginia and Senate majority leader Bill Frist, have similarly mixed views. Both Allen and Frist voted for Bush's expansion of Medicare and the funding for Hurricane Katrina relief, but in foreign policy and other areas neither of them can readily be identified as a "Bush" conservative.

Still, they, and others, may have to learn to become such conservatives, especially if they mean to anticipate and preempt the arguments of Hillary Clinton or another Democratic nominee in 2008. The challenge facing Republicans is to find and articulate conservative solutions to what are fundamentally exercises in big government: immigration, Social Security, response to emergency, homeland security, health care and other entitlements, and the like. For many conservatives who cut their political teeth during the Reagan era, all this is unfamiliar territory—but as the free-market advocate James Glassman discovered when he visited New Orleans in early January, it may also be the most promising territory of all.

In common with many conservatives, Glassman was convinced that the billions requested by the administration to help rebuild the city were bound to lead to another fiasco of wasteful federal largesse. But once the money for reconstructing the levees had been committed, a new playing field was created, as policy makers came face to face with, in Glassman's words, a "leap into the unknown." True, the old predictable cadres were there, working alongside Mayor Ray Nagin to mobilize all the available instruments of centralized government planning and the fat bureaucracies that would implement them. But so were all sorts of resourceful and enterprising types who had been drawn by the near-destruction of a major American city to something that was beginning to look more and more like "a project in free-market creativity." Glassman left New Orleans convinced that the city was brimming with entrepreneurial potential.

The conservative movement is likely to face many more leaps into the unknown in the years ahead, each of them requiring market-oriented solutions built alongside, or embedded within, federal spending programs. Failure to seize the opportunities they present, out of blind obedience to the conviction that government is the problem, will mean ceding the ground to the central planners who still dominate the Democratic party. The "Bush revolution" may still not have fully taken off, but if the Republican party is truly to remain the party of ideas, then it has no choice but to embrace and explain a "preemptive" program modeled more or less along the lines that Bush has laid out. If it is to succeed, that program should always remain cognizant of the ideals Ronald Reagan pursued in launching the modern conservative era 25 years ago. But it need not be bounded by them, either.

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The Last of the (Hebrew) Mohicans

Michael Weingrad

Over a year ago I received a postcard informing me that the periodical *Hadoar* was ceasing publication. "We have been unsuccessful in our attempts to raise enough money . . . to maintain the current scope of our operations," the senders wrote. Although they also held out the hope of providing "new, exciting, and innovative publications in the future," this was clearly a death knell. After more than 80 years, the longest-running Hebrew periodical in the United States—in fact, one of the oldest existing Hebrew periodicals in the world—had come to the end of its road.

From the start, the journal had struggled. Less than a year after being launched as a daily in 1921, *Hadoar* became a weekly, published under the auspices of the Histadrut Ivrit of America, an organization for the promotion of Hebrew culture. For decades it continued in this form before devolving in recent years into a biweekly and then, in a last attempt at securing a fresh lease on life, a quarterly, published in partnership with the Hebrew College of Boston. Although the final issues contained interesting articles, literary criticism, and original poems and stories, the journal clearly could no longer command a readership or financial support. Hence the small white postcard, a gravemarker of Hebrew literary culture in America.

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Yet, as gravestones do, the card also attested to a perhaps surprising fact—namely, that there actually is, or was, such a thing as Hebrew literary culture in America.

Modern Hebrew literature began in Europe in the 18th and 19th centuries and persisted into the 20th as an essentially international phenomenon. By the end of World War I, even though it was becoming increasingly clear that the only viable Hebrew literary center was destined to be located in the land of Israel, a small but critical mass of Hebraists had gathered in the United States. Immigrants from Eastern Europe, they tended to be heder- and yeshiva-educated Jews who had embraced the achievements of modern Western culture while at the same time preserving an ardent commitment to Jewish tradition, the Hebrew language, and the national renaissance that was based in Zionism.

Beginning in the teens and 20's of the last century, these Hebraists would found a range of cultural organizations, start a number of periodicals and journals (including *Hadoar*), and create and staff a small network of teachers' colleges. Over the decades, a number of scholars in the field of Jewish studies, magazine editors (including at Commentary), rabbis, and intellectuals could claim an affiliation with one or another of the institutions inspired wholly or in part by the Hebraist vision. And the Hebraists also produced a significant body

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of literature: poetry, novels and stories, essays, criticism, memoirs, and plays in the Hebrew language.

Yet, despite these achievements, they failed to create any lasting or widespread Hebrew-language culture on American soil. Marginal numerically to the main currents of American Jewish life, they were also marginal linguistically: the central story of 20th-century American Jewish speech begins with Yiddish and moves quickly to English. Above all, they were marginal ideologically. As Jewish nationalists, the Hebraists were decidedly ambivalent about America and their place in it, conceiving of America less as a home than as a haven and staging ground for their own project. To the extent that a recognizably Jewish culture exists today in the United States, it certainly does not exist in Hebrew.

In the post-World War II period, the story of Hebrew in America has therefore been a story of the steady decline in the fortunes of an already small group. Yet, paradoxically, this same period also saw the publication of some of the finest examples of American Hebrew literature. Among the poets, the best-known names are those of Gabriel Preil, who died in 1993, and Eisig Silberschlag, who died in 1988 in Austin, Texas, and who expressed his sense of isolation, bitterness, and hope in one of his last poems, "A Poet of Israel, But Not in the Land of Israel":

> If I were in Israel, I would be
> a poet of Israel,
> published by state presses
> and not at my own expense,
> paid a reasonable writer's wage,
> read by the public,
> quoted by officials
> at the inaugurations of cultural institutions
> funded by non-Israelis.
>
> A poet of Israel but not in the land of Israel:
> a strange creature. Yet before Joshua's conquest
> there were already others like him,
> laying the paths of the Hebrew poem
> by the sea, but not entering the water.
> There were others like him, and there will be
> more,
> laying the paths of the Hebrew poem
> outside the place of their people.*

AND TODAY? Hebrew literature in America exists mainly as the presence of an absence, a haunting of sorts. Its provocations are felt mostly in poetry, where language itself is most intensely felt. Indeed, a number of American Jewish poets, including Emma Lazarus, Delmore Schwartz, and the contemporary writer Stanley Moss, have turned to an idea of Hebrew—I say "idea" since they do not know the language itself—as a kind of touchstone of Jewish authenticity and identity. As Moss puts it poignantly in "Work Song":

> I am surprised, when close friends
> speak Hebrew, that I understand nothing.
> Something in me expects to understand them
> without the least effort,
> as a bird knows song.

In American Jewish fiction, by contrast, we are more likely to detect the actual footprints of the Hebraists themselves. Thus, Abraham Cahan's 1917 novel, *The Rise of David Levinsky*, contains a Hebrew poet, Tevkin, who expresses the alienation from America ("my cage") typical of the Hebraists. Cynthia Ozick's famous story, "Envy; or, Yiddish in America" (COMMENTARY, November 1969)—about the agonizing marginality of Yiddish writers in the United States—was based, as Ozick has admitted, not on Yiddishists but on the Hebraists whom she had known as a girl through her uncle, the American Hebrew poet Avraham Regelson. (Indeed, Ozick's fictionalized portrait of the impish I.B. Singer suggests more than a little of the impish Gabriel Preil.) The still insufficiently appreciated American Jewish novelist Mark Helprin is not averse to using Hebrew-speaking immigrants as characters in his mythical fictions. And even Philip Roth wrote a story about an obscure immigrant Hebrew teacher (with the foreboding name of Franz Kafka) who resembles the autobiographical characters populating a number of works by the immigrant Hebraist writers of a much earlier age.

But as for works written in Hebrew itself, of this there is almost no sign. We need not dismiss the possible emergence some day of a kind of Israeli-American writing, but so far the many Israelis living in this country have yet to produce a major novelist or poet, and their children tend to be thoroughly comfortable in English. By the same token, there are American immigrants to Israel who have made the transition into Hebrew literature, including the first-rate poet Harold Schimmel and, more modestly, Jacob Jeffrey Green, whose novel *Sof-Shavua Amerikani* ("American Weekend," 1998) makes for interesting reading if not for brilliant literature. But these are American-Israeli contributors to Israeli culture, not to American Jewish culture.

What then happened to the Hebraist dream of raising American-born Hebrew readers and, especially, writers? Some students of the old Hebraists

* Here, and throughout, the translations from Hebrew are my own.

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have indeed written in the language—one thinks of Arnold Band, the dean of Hebrew literary studies in America, who published a collection of Hebrew poems, *Ha-re'i Bo'er Ba'esh* ("The Mirror Aflame") in 1963, and of the young Robert (Uri) Alter, who contributed poems to Hebrew-language publications. But both these men are critics and scholars first, and their poetry must be considered academic in more than one sense. (Band's first collection was also his last.) Gabriel Preil, who outlasted all the other immigrant Hebrew poets in America, was thus right to conclude his late-life survey of American Hebrew literature by referring to himself as "the last of the Mohicans."

Still, there is a Mohican whom Preil missed. A few months after I received the notice of *Hadoar*'s cessation, I was sent a 125-page manuscript of Hebrew poems. The collection, culled from work done over the preceding two decades, was impressive in its formal range, running from free-verse lyrics and prose poems to that ultimate expression of Hebrew formal virtuosity, the *klil sonetot* (corona or sonnet garland). It was equally notable for its idiosyncratic sensibility—alternately confessional and hermetic, flip and serious, pious and heretical. Some poems read like the stuttering loops of a psychoanalyst's malfunctioning tape recorder, others disgorged random bits of detritus like the slit-open bellies of captured sharks. The poems ended inconclusively, in an awkward or mischievous silence, or ascended tenaciously toward visionary horizons. They were, in a word, unpredictable.

But then they were written by an unpredictable American Hebrew poet, with the improbable name of Robert Whitehill.

Born in 1947 in North Carolina, Whitehill moved as a child to Lubbock, Texas, where he stayed through his college years. His parents, both of them children of Jewish immigrants, were themselves extremely assimilated. Along with a few childhood years in the Sunday school of a local Reform synagogue, Whitehill grew up with a tree in his house at Christmastime and no bar mitzvah.

But at thirteen, he was spurred both by curiosity and by the relentless Christian proselytizing of his peers to begin reading about Judaism in the local library. He soon became entranced with Israel and its Zionist heroes. More decisively, in 1962 he purchased the *Berlitz Hebrew Self-Teacher*, quickly graduating to the "Living Language" teach-yourself-Hebrew program on vinyl records. In this solitary and determined way, he learned the language.

As an undergraduate at Texas Tech in Lubbock, Whitehill found his first Hebrew conversational partner in an Israeli Arab fellow student. At the age of twenty-one, he took his first trip to Israel, spending two months in an intensive language course before returning home to begin law school at the University of Texas in Austin. While working toward his law degree, he also sat in on Hebrew classes and completed an MA in English literature. A few years later, to relieve the tedium of an appellate hearing—by now he was working in a civil court—he picked up a pen and wrote his first Hebrew poem. It was accepted for publication by *Hadoar*.

Although *Hadoar* turned down subsequent poems, finding them overly vague, Whitehill had meanwhile entered into correspondence with the Israeli writer Aharon Megged, whose novels he was translating. Megged asked to see Whitehill's work, and as a result the verse that was being rejected by *Hadoar* in America began to appear in the literary supplements of the newspapers *Ha'aretz* and *Davar* in Israel. In 1977, thanks to the combined enthusiasm of Megged, the poet and scholar Simon Halkin, and the lyricist Yossi Gamzu, Whitehill's first collection, *Orvim Humim* ("Brown Crows"), was published in Israel, an occasion marked by a reception in Tel Aviv that was attended by a number of well-known Israeli literary and artistic figures as well as by the author, who at that point had still not spent more than a few months total in Israel.

In 1981, Whitehill's second collection, *Efes Makom* ("No Place"), appeared in Israel to generally positive reviews, although in some places he was treated mainly as a curiosity—the "Hebrew poet from Texas." Understandably, Whitehill was and remains concerned not to be seen as the proverbial dog walking on hind legs; still, one cannot ignore the fact that he *is* probably the only non-Israeli publishing fine Hebrew poetry today. And it is ironic, to say the least, that after all the efforts of the immigrant Hebraists to raise native-born American Hebrew writers, the career of America's only active Hebrew poet should have been launched more or less *ex nihilo* from Texas. It reminds one of an apocryphal story about the 19th-century writer Judah Leib Gordon, who, upon introducing himself as a Hebrew poet to the great German-Jewish scholar Leopold Zunz, was asked, "And when did you live?" Logically speaking, Robert Whitehill should not exist at all.

If Hebrew poets of Whitehill's ability do not normally spring forth from assimilated families in the far reaches of the Diaspora, his emer-

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gence does owe something, I believe, to a very American tradition: the self-educated and self-trained writer. Even more ironically, it also owes something to the same Southern atmosphere that the young Whitehill found so importuning—an atmosphere characterized by an unmediated immersion in Scripture. In these respects, his act of self-invention is at once supremely American and uncannily Christian.

But a darker psychic engine also drives much of Whitehill's early work. In the most haunting sequence in *Efes Makom*, a series of 15 poems entitled "Among My Father's Oil Paintings," Whitehill shifts between realistic, acerbic commentary and cryptic yet revealing meditations on the dissonances of his family relationships. In the former mode, for example, he discusses his parents' ambivalent expectations both toward their son and toward their own Jewishness: "Before I found [my wife] Susan," he writes,

> they certainly wanted me to find a woman.
> Perhaps Jewish, perhaps not.
> In any case not too much so either way.
> All religions are the same, and Jewish is just a religion, they said.
> Or he said, and she said, echoing him.
> In any case it went without saying that I wouldn't marry a Catholic,
> or a Protestant from one of the more extreme sects: snake-handlers
> or poison-swallowers,
> and not a Mexican
> and not a black.
> Perhaps in their dreams they envisioned me standing under a huppa
> next to Princess Anne in Westminster Cathedral
> but how to approach her?
> They certainly wanted me to find happiness
> but not too much lest I become spoiled
> to be fruitful and multiply, but not too much
> to be a man of distinction under his fig tree
> awake in dreamed America
> in any case.

In other poems in this series, however, the ironic distance is gone and we seem to wander with Whitehill as a boy among the strange and disturbing imagery of his father's art—by profession a psychiatrist, the elder Whitehill was also an amateur painter. Both endeavors are seen by the son as implicitly linked to the individual psyche, and both need to be transcended in favor of a more communal vision:

> My father delivers me to a remote island, to a realm of horizons
> with no mountains or fields around it
> no produce of years but only unfathomable ocean.

From this perspective, Hebrew was both a means for Whitehill to express the tensions and sorrows of his family and a form of protection against them. The first poem in the series ends: *avi over al panai veshotek belashon aheret*. "My father passes before me, silent in another language."

Not long after the publication of *Efes Makom*, the confidence that had allowed Whitehill to stake his claim as a Hebrew poet seemed to evaporate. The fault, as he himself has related it, was that of Saul Tchernikhovsky (1875-1943), one of the titans of modern Hebrew poetry. In the 1980's, reading Tchernikhovsky's complete works, Whitehill came to the conclusion that the worst of the classic poet's juvenilia was better than his own best efforts. Thereupon he entered the business world—not an unreasonable decision for a family man—and, though he continued reading and translating from Hebrew, stopped publishing poems.

IT WAS over a decade later that, revisiting his own work, Whitehill decided he had been too hard on himself and resumed actively writing and publishing. As if to declare the recovery of his ambition, he even put himself to the task of composing a sonnet cycle, just as Tchernikhovsky had done. The result is a wild collection, parts of which have appeared in Israeli literary journals and the whole of which is due to be published soon in Israel. This is the collection that was sent to me a year ago in manuscript.

The title, *HaHelem vehaNitzotz*, is indicative of the book as a whole, which plays on Whitehill's juxtapositions of the sacred and the secular. The word *helem* denotes a shock, electrical or otherwise, while *nitzotz*, a spark, is a term that immediately conjures up the kabbalistic concept of the holy spark, trapped in the fallen world.

While some of the poems in *The Shock and the Spark* date back to the 1980's, most are more recent, and a number are haunted by the ongoing terror war against Israel. In one poem, "Metamorfoza," a BBC interviewer flirts ecstatically with an aspiring suicide bomber—as if, Whitehill writes, the two were on a blind date in the very café the bomber would destroy. Others offer more wide-ranging meditations on human cruelty, and on the frail absurdity of the human condition faced with such cruelty. A poem made up of the poet's thoughts on exiting the Whitney Museum in New York ends with a sudden and horrifying swerve into an image of human sacrifice:

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And what passed through the soul of Hernando
Cortez when he walked in the
company of Montezuma the king in the
reeking
darkness of the pyramid of the sun by dusty,
turbid light,
choking with the stench and the heat, and when
he raised the torch before the wall
blanching
before the dried blood spattered there and the
still wet blood from that
morning and the massive stone vat filled to the
brim
with thousands of human hearts, most rotting
some still pulsing
in the holy of holies
and the king said: all is valid and binding.

Lending unsettling force to this image in the original Hebrew is the final justificatory phrase of the king—*hakol sharir vekayam*—familiar from the traditional Jewish marriage contract and other legal documents.

Part of what makes Whitehill's poetry so often surprising is its associative leaps, a kind of daydreaming. Job, who in the Bible is from the land of Uz, becomes in one sonnet the Wizard of Uz, mourning the death of the good witch Glinda. Except that Whitehill, not content to let the reference alone, links Glinda with her wicked counterpart as two sides of the same personality, with Glinda's face turning green in death's decay and melting like water in Job's memory. The effect of these shifts and revisions is reinforced by Whitehill's language, slightly eccentric as compared with standard Israeli Hebrew and lacking any firm hierarchy among linguistic strata drawn from Jewish liturgy, the Israeli media, the Bible, classical Hebrew literature, the classroom, and the marketplace.

The book's opening poem announces Whitehill's return through the figure of a dog, here an embodiment of the evil impulse that is simultaneously a creative impulse prodding, threatening, and mocking the poet out of his silence. Indeed, the figure of the dog presides over the first five poems in the collection, taking on various symbolic associations and pulling along a number of biblical and rabbinic allusions. In one poem, it is even the reincarnation of Eleanor Roosevelt.

Elsewhere, though, Whitehill's new poems are less symbolic than out-and-out surreal. In one, "The Prophet of Baal Entertains Guests at His Home in Texas," the pagan motif suggests, on the one hand, Whitehill's lingering sense of alienation from Christian Texas while, on the other hand, linking biblical Judaism directly with its arch-enemy, Baal-worship. The poem is also obviously concerned with religion and celebrity, pop culture and the sacred, and though it would be wrong to take any of it too seriously, we can also sense in it the traces of a somber isolation and self-deflation. As in a number of Whitehill's poems, the ending does not march to a grand conclusion but trails off in semi-jocular comment. Here it is in its entirety:

On the day I die, stick my corpse in a plastic
bag and ship it by refrigerated truck
to Houston. Can't waste time, it's summer
already, such heat . . .
as for the ritual altars, maybe you can sell them
at a garage sale.

His embarrassed wife runs to the living room
and showers the guests with excuses:
he's been so tired lately, with all the sacrifices
and the press conferences, it's hard to be a
prophet, you understand, I hope, let alone a
prophet of Baal, anywhere but particularly
in Texas. Pe'or, Hadad, Zafon, Dallas, San
Antonio, Lubbock, it doesn't matter where.

One of the guests says: Besides that, my back is
killing me, I bumped into the edge of
the table
in the dining room, I'm
thinking of calling
my son,
the chiropractor.
The prophet of Baal yawns and says: Don't
bother. I went to a chiropractor and he
screwed me.
Then he excuses himself and steps into the
bathroom.
There he goes to the mirror and draws
imaginary scribbles on the glass with his
finger.
He fantasizes: Thus sayeth Baal, And Baal said,
And Baal spoke unto me saying, Thus
speaketh Baal of Hosts, son of El, who
abideth in Zafon, Ascribe to Baal honor and
majesty. . . .
In the living room, on the Sony color television with video and DVD, Madonna chats
with Bill Clinton about the doctrine of
tsimtsum according to the system of the
Tanya as opposed to that of the Vilna
Gaon, and they both tend to side with the
former, since (says the ex-President) without the constant presence of at least a
residue of the eternal light of the *eyn-sof*, be

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blessed, there would be (continues Madonna) neither the existent universe nor anything else. President Clinton remarks that one bright day he woke up to the sound of a pin falling on a carpet.
Madonna adds: how strange, I dreamed the same thing, only in my dream it wasn't a pin but a goose feather.
And another thing, says Mr. Clinton, I discovered a huge cockroach nesting in the bristles of my toothbrush. What does that mean?
Madonna says: It means, Mr. President, that it's time for a message from our distinguished sponsors, our good friends at Lone Star Beer.
Good night, O Bill
Good night, O Esther.
Fade out.
The prophet of Baal returns to the living room and fetches some cold beer from the fridge for himself and his guests.
Meanwhile, some of the guests play Clue.
Who killed whom, how, and where.
The losers have to jump out the window, thank Baal that it's only a one-story house.
Two-story houses in Texas are extremely rare, even the houses of prophets, not to mention duplexes. Trailers, though, are something else entirely. . . .

Not all of Whitehill's poems are wholly successful. The idiosyncratic relationship to Hebrew literature that allows him his linguistic gambles dispenses its rewards erratically, even as it imparts energy and excitement. At their worst, his poems become private to the point of incomprehensibility. At their best, they produce images of startling originality, love lyrics notable for their eroticism and vulnerability, and a personal-cultural chronicle unique in the annals of Hebrew literature.

DOES THE existence of Robert Whitehill mean that reports of American Hebrew literature's death are premature? Certainly, the appearance of his new collection of poems is an encouraging sign, of sorts. And there are a few others. New Hebrew-language programs continue to appear at American colleges and universities, and organizations like the Memorial Foundation for Jewish Culture and the Avi Chai Foundation have undertaken helpful initiatives to promote aspects of Hebrew education on, respectively, the early-childhood and high-school levels. Perhaps most significantly, in our globally and electronically connected world, Israeli literature, film, and journalism are readily available in America by way of DVD and the Internet to anyone who wants them.

All this does not change the fact, however, that the level of fluency that would allow for the creation and appreciation of Hebrew belles lettres no more exists among American Jews today than it did when *Hadoar* first appeared in the early 20th century. As inspiring as is Whitehill's story, and as American as are his origins, the trajectory of his career has of necessity led him again and again to Israel, where his real literary community exists. As the immigrant Hebraists well knew, in America the situation of the Hebrew poet is, in the words of a Whitehill poem, that of one who "plays lullabies before a noisy audience/in an empty hall."

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Britain's Neoconservative Moment

Daniel Johnson

THESE ARE dark days for Britain's Tories. After three successive election defeats and its longest period out of office since the mid-19th century, the oldest political party in the world has been forced to rethink its entire raison d'être. Last December, the Conservatives pinned their hopes for revival on yet another leader, their fifth in eight years. The latest heir to Margaret Thatcher's mantle—and, it is hoped, some of her electoral success—is David Cameron, and his elevation created a small sensation on both sides of the Atlantic.

Much of the attention was owed to Cameron's youth. A thirty-nine-year-old party loyalist who has been in Parliament for only four years, he is the most inexperienced Tory leader since William Pitt the Younger took over in 1783. More intriguing has been Cameron's insistence on the need for a "real intellectual revival of conservatism," an aim that has caused some consternation in Britain's liberal establishment. Though the precise contours of Cameron's ideas are unclear, the hints he has offered suggest that leftist bastions like the *Guardian* and the *New Statesman* may not be too far wrong in accusing him of being that most sinister of contemporary political animals—a neoconservative.

In the topsy-turvy ideological world of today's British politics, what the "neocon" label primarily denotes is support for the foreign policy of Tony Blair. Cameron has offered the Labor prime minister wholehearted support in the war on terror, including the campaign in Iraq. In this, he presents a marked contrast to his predecessor Michael Howard, whose equivocations and trimming to exploit anti-war sentiment earned him the dubious distinction of becoming the first Tory leader in two centuries to be persona non grata at the White House.

The most strenuous opposition to Blair's policies has come not from the Right, however, but from the British Left, a fact that, more than any other, has placed his hold on power in jeopardy. For many in the Labor party, to say nothing of their supporters in the media and the universities, the prime minister's enthusiastic alliance with George W. Bush since 2001 can be seen only as the mysterious working-out of an ideological conspiracy. For all his success in restoring Labor's political fortunes, Blair has, in their view, betrayed the fundamental international commitments of the Left.

But has he? Not according to Oliver Kamm, one of Blair's more eloquent defenders *and* a self-described neoconservative. In his column for the London *Times* and on his valuable political blog,* Kamm has argued that prosecuting the war on terror is precisely what a broad-minded liberal internationalism demands. A lifelong Labor supporter,

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Kamm voted Conservative for the first time in 2005 because the local Labor candidate was firmly opposed to her own government's strategy in Iraq and elsewhere. "Tony Blair's interventionism is not 'right-wing,'" Kamm writes. "It is the reassertion of an earlier left-wing tradition of anti-totalitarianism."

That this divergence from elements in his own party places him in distinctive trans-Atlantic company is not lost on Kamm. His recently published book, *Anti-Totalitarianism: The Left-Wing Case for a Neoconservative Foreign Policy* provides a brief, lucid history of the Left's response to Nazism and Communism while classifying Islamism as a similar horror. Like Bush and Blair, he is not afraid to compare Saddam's Iraq with Hitler's Germany, and he saw a moral imperative in overthrowing the Baathist regime in Baghdad before it became a direct threat. By tradition and principle alike, liberals are honor-bound, by his lights, to be full participants in the fight against totalitarianism.

Kamm is one of the founding patrons of the Henry Jackson Society, a group started by students at Cambridge University but now an umbrella organization for British Atlanticists and hawkish idealists of the Left and the Right. The choice of an American Democrat, Senator Henry "Scoop" Jackson, as the group's figurehead was intended to send a signal: as Kamm sees it, you do not have to be a Tory or a Republican in order to join the neocon conspiracy. Indeed, Kamm is acute in his critique of the "cynicism" of American Democrats and British Laborites who opposed regime change in Iraq, ostensibly on principle, but actually for political advantage. Their failure to back up interventionism, he writes, risks "the resurgence of a conservative realpolitik in informal alliance with an isolationist and reactionary Left."

But Kamm's embrace of neoconservatism extends only so far. He fundamentally rejects the domestic agenda of his American counterparts, with their "reactionary social views." A British variant would be more open-minded. "No longer would neoconservatism necessarily denote rage at the cultural changes of the 1960's," he writes. "It would encompass those of us who believe the cultural changes of the 1960's have had a civilizing effect and ought to go further." For Kamm, the critique of cultural relativism and its nihilistic consequences, which has given American neoconservatism so much of its intellectual heft, can be separated from the imperative of resisting terrorism and rogue states abroad.

IF U.S.-STYLE neoconservatism has proved to be an unwelcome guest on the British Left, it has scarcely found a more comfortable political and ideological home on the British Right. The Anglo-American principles that the United States inherited and that neoconservatives so energetically promote—republican self-government, liberty under the law, bourgeois rectitude and industry—are associated, historically, not with the reactionary Tories but with their more liberal opponents, the Whigs. Beginning with John Locke, Whiggism has been the default position of American politics for over two centuries.

The British statesmen who admire, and are admired in, the United States have almost always been Whigs. Though his father was a maverick Tory, Winston Churchill came from a distinguished Whig family, switched parties several times, and was at his best as leader of a wartime unity government. Margaret Thatcher, who was despised by the Tory grandees for reasons as much snobbish as ideological, cordially returned their contempt, preferring free-market Whigs like Friedrich Hayek.

Where this leaves David Cameron, the new leader of the Tories, remains to be seen. On foreign policy, there is the example set by Blair, who has stirred the better angels of not a few Tories. One Conservative politician of my acquaintance, after grilling the prime minister at a committee meeting of the House of Commons, saluted his statesmanlike qualities. Blair "almost persuaded me that the Iraq war was justified," he told me. "And as for terrorists and their imams: he just wants to cut them off at the knees. He's so conservative! Blair is our real lost leader."

Nor is this impulse without support in the national traditions so treasured by the Tories. Michael Gove, a London *Times* columnist and Conservative member of Parliament, has argued forcefully that the British need only look back over their own history to find precedents for a neoconservative foreign policy.* Canning, Palmerston, and Churchill, for instance, did not hesitate to mount preemptive attacks, both for national self-preservation (against Napoleon and Hitler) and to spread liberalism across Europe. Gove, who is close to Cameron and wrote much of his one (strongly Atlanticist) foreign-policy speech last year, believes that the dessicated, often fatalistic Tories need a dose of the optimism and self-confidence shared in equal measure by the British statesmen of the past

* Gove's essay, "The Very British Roots of Neoconservatism and Its Lessons for British Conservatives," is included in *The Neocon Reader*, edited by Irwin Stelzer (Grove Press, 2004).

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and the American neoconservatives of the present.

But finding support for such ideas is no easy matter in today's Britain. Several prominent intellectuals abandoned the Labor party years ago to endorse Margaret Thatcher—they included the novelist Kingsley Amis, the historian Hugh Thomas, and the playwright Tom Stoppard, among others—and helped her to dominate British politics throughout the 1980's and beyond. But few of these thinkers were neoconservatives in the American sense. The only member of the older British generation to whom the term might properly be applied is my father, the historian and man of letters Paul Johnson. From the mid-1970's onward, all the main themes of neoconservatism have figured large in his work: the defense of Judeo-Christian values against secular and religious totalitarianism; the global projection of freedom, democracy, and the rule of law; the need for active resistance against the internal and external threats to the West.

Still, there are encouraging ideological stirrings in Britain, thanks in large part to the efforts of a small London-based think tank called the Social Affairs Unit. Originally founded as a branch of the strongly pro-market Institute of Economic Affairs, it has developed an independent identity under its new director, Michael Mosbacher, who has turned it into a trans-Atlantic bridgehead for neoconservative ideas. Among the many books and pamphlets published by the Social Affairs Unit are Kamm's *Anti-Totalitarianism* and, with a Conservative rather than a Labor readership in mind, Douglas Murray's *Neoconservatism: Why We Need It.**

LIKE THE new Tory leader, Murray is something of a prodigy. Only twenty-six, he published his first book, a biography of Lord Alfred Douglas, while still a student at Oxford. As the subtitle of *Neoconservatism* suggests, it is not a work of political philosophy but rather a tract, a call to arms. It is addressed primarily to the Conservative party, which has languished on the sidelines since Labor swept to power in 1997. His argument, trenchantly and entertainingly made, is that only the neoconservative agenda can restore the Tories to their rightful place as the "natural party of government."

As Murray acknowledges, Britain's most consistent neoconservative over the past decade has been Tony Blair—a fact that in the late 1990's inclined most Tories to dismiss the Labor government's foreign interventions in places like Kosovo and Sierra Leone as manifestations of a despised liberal internationalism. How was Britain's national interest served by humanitarian missions to remote regions of the Balkans or central Africa?

The idea that British self-interest might coincide with the seemingly altruistic promotion of freedom and democracy has, in fact, long been alien to the British diplomatic, academic, and political establishments, of the Right as of the Left. On the Right, Blair's readiness to intervene in the name of democracy or to prevent genocide revived a debilitating memory of the last days of the British Empire. If the lesson of the Suez crisis of 1956 was that Britain could not intervene abroad against the wishes of the United States, the lesson of the Iraq war, for many Tories, was that Britain dare not intervene even in alliance with the U.S.

By Murray's lights, however, Blair has regained some of Britain's lost glory. He "has resuscitated . . . the sense that Britain can lead, not follow, global trends in foreign affairs—that, as a global power, Britain's interests are best served not by selfish isolationism or abnegation of responsibility, but by being a world leader with a humanitarian urge." And he quotes Blair on the eve of his election in 1997, declaring that leadership has always been part of Britain's destiny: "We are a leader of nations or nothing."

Yet Blair's ambition to lead is unlikely to outlast his premiership, Murray argues, because Labor's heart is not in it. Therefore, his valuable legacy is safer in the hands of his Conservative opponents. As Murray writes, "Britain deserves and is ripe for its own neoconservative moment." He paints an optimistic portrait of a nation no longer in love with its own decline and ready to respond to an agenda of tax cuts, a smaller state, an assault on welfare dependency, immigration controls, and tough law enforcement. Inspired by academic thinkers like Leo Strauss and Allan Bloom, Murray proposes a restoration of authentically liberal education, with an end to the cultural relativism that he holds responsible for the fact that "a large proportion of the people our educational systems are producing are not very nice."

THOUGH IT is not entirely clear that the rigorous curriculum envisaged by Murray would address the problem of "not very nice" people, to whom college courses in classical philosophy might be of dubious benefit, he is clearly right to demand that British Conservatives start fighting for their

* Both books are available for purchase on the website of the Social Affairs Unit: www.socialaffairsunit.org.uk. The American edition of Murray's *Neoconservatism* will be brought out by Encounter Books in June.

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values. The question is how to go about it. Murray once again turns to education. With the exception of a small number of Jewish schools, he writes, "government-funded state schools should . . . be Christian, and of those, the great majority should be Anglican." Why? "Not only because it is the right thing to do . . . but because it is our duty to continue and further the inherited faith of our country."

Is it realistic to suggest restoring the Church of England to its Victorian grandeur? Not to anyone the least bit familiar with the divided, depleted, and decrepit state of contemporary Anglicanism and with the leaders whom Murray expects to undertake this task of national re-education. Last October, at a seminar sponsored by the British Academy, a highly distinguished audience heard a paper by the Archbishop of Canterbury, Rowan Williams. In addition to being the head of the worldwide Anglican communion and a former professor of theology at Oxford, Dr. Williams is also a notable opponent of the war in Iraq as well as of many other causes associated with neoconservatism.

His paper was about the need to empathize with "the Other," by which he meant people both in the past and in the present whose attitudes and beliefs are alien to us. Dr. Williams said that he disagreed with other Christians, in particular Pope Benedict XVI, who argue that we live under the "dictatorship of relativism." Far from living in an age that does not believe in right or wrong, good or evil, truth or falsehood, we Westerners, he asserted, are guilty of the opposite fault: we are absolutists, very sure we are right about everything.

I was on hand for Dr. Williams's presentation because I had been asked to give a response. I said: "No one is quite so absolutist as a relativist. And no one is less absolutist than an archbishop." To which the good-natured prelate replied: "I think we really agree." Afterward I heard somebody exclaim: "Wasn't the archbishop wonderful! He never mentioned God at all!"

Still, although Murray underestimates the degree to which institutions like the Church of England have been hollowed out by relativism, he is right to argue that traditional British values still need defending—and that the Conservative party, with its abiding sense of British nationhood, is the best instrument for the job. Indeed, one of his achievements is to demonstrate the relationship between the Tories' long-standing Euro-skepticism, with its assertion of British distinctiveness, and the threat posed to the West by radical Islam. As he explains, relativism

> starts by encouraging the perception that Britain and her allies have no moral authority over terrorists, tyrants, and genocidal dictatorships. It continues by excusing and then supporting the terrorists and tyrants. It finishes by saying why the terrorists and tyrants must win over us, and finally why we, as a nation, do not have the right to conquer evil or even defend ourselves.

HOW WIDELY shared such views are within the Conservative party is difficult to say. A sizable contingent of Tories has stood by Blair since 9/11, despite the wavering of their leadership. Equally important have been second thoughts about the Tory foreign-policy record voiced by a growing cadre of self-identified neoconservative intellectuals. The historian Brendan Simms of Cambridge University, for instance, has written *Unfinest Hour: Britain and the Destruction of Bosnia* (2001), a sustained indictment of Prime Minister John Major for his failures in the Balkans. Not since the appeasement of Hitler in the 1930's has a British government been denounced so persuasively for non-intervention. As Margaret Thatcher herself declared in 1993, upbraiding the Conservative Foreign Secretary Douglas Hurd for his supine acquiescence in the genocidal massacre in Srebrenica: "Douglas, Douglas, you would make Neville Chamberlain look like a warmonger."

As for the practical politics of the matter, David Cameron faces an uphill battle. His strategy, apparently, is to encourage Blair to move farther in a neoconservative direction and thereby to detach him still more from the Labor party—since, so long as Blair remains resident in 10 Downing Street, there is no vacancy there for a Tory neoconservative. And indeed, as rebellion in his own ranks has grown bolder, the prime minister has been forced increasingly to rely on Tory support to win votes in the House of Commons. Blair thus risks a Laborite version of the fate that befell Mrs. Thatcher, who was defenestrated by the Tories without ever losing an election. Although he can afford to ignore the clamor on the intellectual Left and the impatience of his putative successor, Chancellor of the Exchequer Gordon Brown, if his own party blocks his proposed reforms of the education and welfare system or further anti-terrorism measures (as it did last November), he may have to throw in the towel well before the next general election, probably in 2009, when he has pledged to retire from politics.

On the other hand, should Islamist terrorism re-

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turn to Britain's shores, Tony Blair would once again dominate the political landscape as he did after last summer's London bombings. The emerging confrontation with Iran could also serve to cement his leadership. Indeed, Blair is the only British statesman who has raised the possibility of armed confrontation with the Islamic republic in response to the provocations of its new president, Mahmoud Ahmadinejad. He does not believe a deal is possible with a fanatic like Ahmadinejad, he has been especially disgusted by Iranian-sponsored terrorist attacks on British soldiers in southern Iraq, and he is fully persuaded of the existential danger posed by a nuclear Iran. Although it would be politically difficult for Britain to support a preemptive strike against Iranian nuclear facilities by the United States or Israel, Blair might well dare it.

The British are proud of their independence; they follow American fashions, whether from Hollywood or Washington, only if they can make them their own. Fortunately, Tony Blair made foreign-policy neoconservatism his own before most Britons had even heard of it, so both it and the domestic-policy variety may well have a future in Britain beyond the temporal horizon of the Blair era. From an ideological point of view, certainly, it is the only antidote to the viruses of anti-Americanism, anti-Semitism, and Islamo-fascism, all of which are now coursing through the bloodstream of the British body politic.

But the necessity of neoconservatism has to be explained and popularized, as David Cameron seems to grasp. For that, many more first-rate intellectuals like Oliver Kamm and Douglas Murray will need to be mobilized. They might well take their cue from their peers on the other side of the Atlantic, where think tanks, sympathetic TV networks and websites, and above all the great American magazines and journals together constitute a permanent symposium on neoconservative thought.

Though it may not be for an Englishman to say, the U.S. itself has an enormous stake in the success of this still-nascent movement. Tony Blair's devotion to the war on terrorism and the campaign in Iraq has made British moral and military support seem like a given. But it is far from that. A half-century ago, Americans tormented themselves with the question, "Who lost China?" Surely the next generation of American leaders and thinkers does not want to have to ask itself who lost Britain.

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Remembrance of Cultural Revolutions Past

Herbert Gold

DIRECT FROM the People's Republic of China she came to San Francisco with the glad tidings!

In the early 1970's, we were invited to gather at the apartment of our friends, the Natters, to hear a woman named Myrtle Ferguson describe her experience at the center of the Cultural Revolution, about which so many lies were being told in the imperialist bourgeois media.* Myrtle taught English in a Beijing school; like millions of her fellow strugglers, she wore a monochrome uniform; her hair, brutally cropped, fell over her forehead in a slab no one would dare call bangs. Now, she was traveling in America on a tour of enlightenment. Zucchini and Monterey Jack cheese would be served, along with wine and, at my request, beer.

Piled democratically on the floor, leaning on giant Esalen pillows, we turned our yearning faces toward oblong Myrtle, standing in her high-collared suit in front of the fireplace. Flirtation and gossip were shushed by our host. We were ready to be instructed.

"My former parents in Swarthmore, that's Pennsylvania, tried to mold me into someone like them, an Amerikan female," she bitterly confessed. Thanks to her clipped and crunched pronunciation, we all knew that there was a "k" in "American." "I came to understand my destiny lay in the People's Republic, home to the Chinese people. In the East, land of the mighty Red River. . . ."

After the groundwork, she got into the more advanced stuff. "So I took a job teaching English in Beijing"—the name of the city, articulated by Myrtle in a no doubt authentic accent, sounded to my ears like amplified granola. Wind chimes rang out in the evening fog on Russian Hill. Myrtle had brought them as a house gift for her hosts, Marjie and Ted. The bringing of house gifts was another gracious custom she had learned in the People's Republic.

These were days that tried persons' souls. Myrtle was resolute, stern of demeanor: she had found the truth and intended to share it. The room was crowded. I leaned with my wife against the legs of a couple who had taken the couch. Ted Natter borrowed the neck of my beer bottle for tapping purposes and asked that we discontinue our private whisperings. There was an endless war in Vietnam, and Amerikans were out of step with history.

My teeth bit down hard on a crisp vertical slice of zucchini. I nibbled a cube of Monterey Jack, and offered my new young wife the first sip of my second beer. She delicately swallowed from the long neck. I loved her every gesture.

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* In the interests of bourgeois kindness, some of the names have been changed in this chronicle.

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Stalwart, serene, Myrtle was describing how the People had settled a troubling question about the principal of the school where she taught. "The masses entered his office and determined that he had a landlord mentality, which he had craftily hidden from everyone."

I raised my hand, uncertain if this conformed to the rules. "Crafty and deceitful," she was saying, "like all those with landlord mentalities."

I waved my arm. She ignored the disturbance. In my eagerness, I had spread a mist of beer over our neighbors on the floor. Melissa, my well-mannered wife, prudently removed the bottle from my foam-covered hand. "How?" I asked Myrtle. "How did you find out about his landlord mentality?"

"The masses looked into his desk. We opened a drawer." But they didn't harm him, she explained, because this was not the way of the Great Leader. Instead, in their just desire for the re-education of a cadre gone astray, the masses asked the principal to sit in the courtyard of the school with a dunce cap on his head. Then the masses lined up in an orderly fashion and, to express their sincere outrage and urge him to reform his thought, urinated on him.

I murmured, not even certain what I was saying. Perhaps it was a question about whether the bladder-voiding method of re-education enlisted both students and teachers, or perhaps I wanted merely to clear up a technical detail about how the female masses positioned themselves if they remained standing. Revolutionaries, of course, can always find a way, just as the turbulent waters of springtime rains in the People's Republic rush down the slopes of the mountains, finding the correct channels.

Having murmured, I spoke aloud. "Did he reform?"

Myrtle Ferguson regretted to say that the answer remained uncertain. Having taken the capitalist road, he chose instead to commit suicide. He made this decision without consulting his colleagues; it was typical of a capitalist-roader to deprive the people of their labor. Our guest of honor, a seeker of the righteous path—as were most of us—might be kind in the future, and so might the masses, but today, this year, this century, was no time for weakness.

I COULD HAVE used another long-necked bottle to share with my wife. During the post-lesson group discussion, Ted Natter sought me out. He must have suspected that I was the victim of my own landlord mentality, a recent perpetrator of murmurings. He wanted to rescue me by Socratic, or perhaps Hegelian, interrogation. He asked: Was I opposed to culture?

No.

Was I opposed to revolution?

Uh . . . depends.

He ignored this. So, culture and revolution, you put them together, and you get synergy, two conjoined, unbeatable goods. "Look at yourself, Herb. Look at history."

I looked at myself and history, now located in an apartment in San Francisco. Peace picketers (I among them), red Mao buttons (well, Melissa had sewn rainbow ribbons on my shirts), and earth shoes were on the march. I was noticing cartridge belts with bullets on some of the more stylish women and asked one of them, whom I'll call Trenda, why. "It's a neat look," she said, "kind of edgy." Later she would explain further: "pushes the envelope."

But no bourgeois exploiters with landlord mentalities were being shipped from post-Summer of Love San Francisco to work on pig farms in, say, New Jersey or Tennessee. Along with Maui Wowie, a much-favored brand of grass, *Little Red Books* were being imported to expand the consciousness of zucchini-nibbling, wine-sipping exploiters on Russian, Nob, and Telegraph Hills, not to mention Pacific Heights.

Ted Natter had recently taken to reminding Melissa: why don't you tell Herb to stay home and look after the children so you can go out and write books? Gazing at him with a smile that removed the sting from her sentences, she explained: "He does what he does, and I do what I do. And we have nice babysitters, this Filipino and tonight this girl from the Art Institute—"

"Filipin*a*, not with an o. Woman, not girl. But hiring slaves doesn't—"

We'd had our beverages, our cheese, our zucchini, our lecture, and it was time to leave, saving an hour off the cost of our slave. Often the best part of an evening out was the stroll home in the San Francisco damp, Melissa's hand on my arm, letting the night settle silent around us.

Love Thy Sisters

LIKE SO many middle-aged others in San Francisco during that interval of glorious Unreality Check, I had been reinfected with adolescence. But I was doing adolescence better this time, giddy with the music (the "San Francisco Sound!"), the dancing, the avid look of the young as they danced,

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grokked & grooved, and read Herman Hesse for life guidance. Burdened with a sanity I couldn't quite overcome, I did take exception to Hesse on the grounds of excess mysticism, and to Chairman Mao on other grounds. But Jefferson Airplane, the Grateful Dead, the Beatles, even Country Joe with his "gimme an F" antiphonal chant against the Vietnam war—goddamn but it was fun. Blessed indeed was it to be alive in Golden Gate Park. Was that eucalyptus I smelled, or was it weed? Space travelers who had no need of NASA equipment launched themselves from Hippie Hill day and night, bongos and guitars supplying soothing jet propulsion.

For a season or two, the new world began on any day when the troops of the children's crusade climbed off the Greyhound bus from Galveston, Ithaca, or Cleveland. I was already living here, smelling the flowers, the patchouli, the eucalyptus, and my wife's hair. We consented to be very young, very happy—for now youth could be wasted on everyone. We looked deeply into each other, often seeing only ourselves but sometimes, sometimes, the other. My new wife and I brought into this new world the three children we wanted, all in a row, bringing my own total to five.

But the ecology of Eden would not be complete without apples and snakes. Timothy Leary preached freedom, wrote psychedelic prescriptions, and covertly dosed his visitors' drinks. Our friends the Natters set out to change the nature of marriage in general, and our own in particular. Unmet requirements were a challenge to them, especially in a time that demanded change "by any means necessary," as Malcolm X had put it.

Marjie and Ted launched a lightning campaign to save our souls. Foremost on the program was that child and household duties must be moved from the wife to the spouse. Next, the writing trade needed to be transferred to the wife. Unfortunately, we balked at reform. I continued practicing prose; Melissa believed it was her own choice to spend much of the day with our children, who wore gender-specific clothing except for diapers. Marjie and Ted had their work cut out for them.

Our friendship with the Natters might have become monotonous, except that monotony was not allowed during this time of the Summer-of-Love hangover. Although Ted was pinched in judgment and vindictive when disagreed with, and Marjie virulent in her anger against whatever violated her (evolving) code, they both had wide, generous, bright, and happy smiles. That's almost the same as having large, generous, accepting hearts.

Melissa and I tried to rescue our friendship by any means necessary, even a bourgeois dinner involving porcelain, crystal, and normal conversation about children, psychedelics, and the war in Vietnam. Ted and Marjie were happy to join us, not even asking who was doing the cooking. Our own last-ditch campaign, envisioning light at the end of a tunnel of dissonance, featured rack of lamb, brown rice, and a salad with baby shrimp and a delicate vinaigrette dressing, the last ingredient included by Melissa so that she could pronounce it like the waiter at our favorite North Beach restaurant: "vinegar-et." (Sometimes her jokes were tainted by elitism.)

The feeding neared its conclusion with crème brûlée prepared from a secret recipe Melissa had inherited from her mother and had promised to give to no one but her own daughter. We bit the crisp caramel, we licked the high-cholesterol spoons, Marjie put her hand on my wife's hipbone and announced: "We can only destroy patriarchal control of Amerika if we learn to love our sisters."

THIS WAS not a stab at learning a secret recipe. This was a pass. Melissa's delicate Celtic skin turned purple with embarrassment, both because of the polemical nature of the pass and because of the presence of respective husbands witnessing it. The passee moved away. The passer's hand was detached, slipped off. There was a difficult moment of silence.

As a typical sexist host, it was my duty to say or do something. "Uh," I said. And then: "So, Ted, what do you think about this?"

His voice, normally high, turned higher, as if his chest had tightened. "I totally respect it," he said.

"Do you want to love your brothers, too, uh, that way?"

"I do, I do! Problem is . . . you wouldn't be up for sharing the experience with me. Most of my friends have bought into the straight thing. And the kind of man I could pick up . . ."

He read my mind. I was thinking of the cluster of Polk Street hustlers near Hard On Leathers, Gray Wolf Clothing, and the White Swallow bar.

"It would be, I don't know, sort of like, uncomfortable?"

Right. It took two to tango, even a tango like this one, confined to the portion of the cortex that measures moral imperatives. "Some day," I said, and he gazed expectantly into my eyes, "some day we'll have to not talk about this."

The evening ended with insincere vows to meet

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again soon. I told Melissa that I loved the way she blushed a deep purple; due to my darker skin, I could never provide so dramatic a portrayal of embarrassment. "We Scotch-Irish-English have all the luck, don't we?" she said. She sighed. Our friendship with the Natters seemed to be suspended.

Nevertheless, in the metropolitan village of San Francisco, we met and remet. That was the deal, one of the peculiar aspects of living in a metropolis, with all its eccentricities and dangers, that was also a village with its proximities and interconnections. During an afternoon espresso run to the Café Trieste, flagship of the Beat flotilla, I found Ted. Great minds do not always think alike, and not all minds are great, but espresso is a valuable common lubricator. We moved our chairs to sit together. Instead of commenting on the niceness of the weather and the steamy warmth of the Trieste, I asked Ted if he thought Marjie in recent years had developed some kind of suspicion of men.

"Oh, no," he declared, defending her consistency. "It's longstanding. Not me, of course; we're super-close."

"I know you're an exception. But why the hatred of other men?"

He struggled for a succinct explanation. "Well, she's studied history. Hitler was a man."

And Aristotle was a friend of mine (not him personally, but his writings). The syllogism implied here lay beyond my grasp.

Ted hastened to assure me that it was nothing personal and that remedy was available. Ever since they decided not to be husband and wife but spouse and spouse, equal, level, parallel, and sharing, all discord had evaporated from their partnership. They didn't eat grapes (Cesar Chavez). They sewed their own rainbow flag to hang at the door (gay rights). They chose Halloween as their major holiday because witches can be of any gender, no matter what people think. And he had agreed to clothe their two sons in dresses so that they would appreciate what women face in the patriarchal world.

Not so much later, spouse and spouse would get divorced anyway.

It was a divorce of the new no-fault variety and of the even newer everybody-wins persuasion. They still shared picketings, marches, and custody of the sons, who objected to their dresses even after their father took to referring to them as caftans. On the playground during soccer practice, it seems, their fellow students sneered at such linguistic distinctions.

My wife with her well-exercised love of comedy proposed that she invite Marjie's ex-husband on a date. This too was an idea in accord with the times, as well as a comment on the Natters' abstract theories. Melissa telephoned Ted, and he was thrilled. "Lunch?" she asked.

He started to name a time when he would come for her. She interrupted: "I'll pick you up."

That was the drill. It was 1972, after all. Only sexists of the 50's and earlier would expect the XY chromosomes to call for the XX chromosomes. In the terrible history of oppressive social conditioning, men had usurped sexual vehicle-transport privileges.

Melissa giggled; I, being an XY chromosome non-giggler, chortled.

On the appointed day she arrived at Ted's door with a corsage for his Mao jacket, which he wore over a Mexican shirt. Green illicit herb embroidery sprouted behind the live, legal gardenias she pinned to him. He stood stiffly at attention.

"Relax," she commanded. Ted had trouble relaxing. Sometimes grooviness was asking a lot, even of a cutting-edge thinker. At the restaurant, she whispered loudly to the waiter to be sure to give her the check. But she did not make advances on him because in truth he had always had difficulty adjusting to Marjie's multicultural, polyamorous principles—and he may also have been suspicious of Melissa's sudden embrace of them. So, except for the price of lunch, there was no damage to our household. Melissa came home, still giggling, and that evening our children reflected our good humor out of the normal mysterious reasons of children.

Nevertheless, family stress occurs in general, and in the early 70's, with three babies in diapers, a mere fifteen-month-space between our daughter and the twin boys, stress occurred in our family in particular. The times were ones of marital breakdown—nothing new, but the intensity of it was special.

My wife's history was that of a well-brought-up Ivy League young woman; most of her friends came of similar backgrounds, academically replete, trained winners. Their husbands were the same. But, one by one, the marriages were cracking. I would appear at the end of the afternoon, and she would say, "Muffie has left Glenn." A month or two later, Polly had departed her marriage with Devon.

It felt ominous. When the fourth pal danced off

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in her Capezios, I was superstitiously relieved, and referred to the group as the Four Horsewomen of the Apocalypse. Then there was a fifth. There was a sixth, a seventh. In each case, the bereft husband seemed not to be a brute, conspicuously unfaithful, an alcoholic, or a negligent provider. He was a husband; that was the problem.

The eighth horsewoman of the Apocalypse was Melissa.

Being a reasonable person, generous and fair-minded, she agreed to see a therapist. She was sad about my sadness. She was considering our children, too. The therapist recommended by one of her friends lived in outer Marin County, but she made the drive anyway. One session was all the treatment necessary, since she entered the office and the psychologist asked what was the problem and she said, "I want to leave my husband." The therapist looked warmly into her eyes. "Well, then, you're okay," she said.

My wife returned grinning with the information. We adjourned to the bedroom. She noted that the therapist had been divorced three times, and confided that she now thought she might be more fond of women than of men. She shrugged. "Those are the breaks, Herb."

Not Letting Go

THE LEAVES of the calendar drop, the snows melt, the potholes grow deeper. Years later, I decided to invite Ted for lunch to revisit our shared past. No longer married to Marjie, he was also no longer married to his next wife. His grown sons no longer wore dresses, unless during secret fashion shows before bedroom mirrors in their suburban tract houses. Ted's hair was still ample, but fluffy and white. He had passed through his spasm of Maoism and his longing to share sex with the proper same-gender partner.

I bought lunch; no corsage. With my purchase, I assumed the right to ask questions. Beginning abstractly in order to ease gracefully into my personal concerns, I brought up the People's Republic of China. "Well, it didn't work out," he said, and shrugged. The broken eggs hadn't made a viable omelet, or even a tasty egg foo yung. "Also, now they've got a lot of . . ." He considered how much to grant me. "Pollution?"

He still ended his sentences with an upward-swinging question, in the California manner.

So then, cautiously, I brought up my own marriage, declaring that of course I didn't exactly blame the Natters for causing trouble—the trouble went deeper into the times than anything they were responsible for—but suggesting that bad will hurts friendship.

He looked sad, concerned, very much like a person who regretted accepting a free lunch. "Well, Herb, you were a sexist, you know." He gathered defensive momentum. "You wrote all those books, but Melissa didn't get to write any. Who knows if, instead, you . . . "

What?

". . . if the world had been different?"

He too had regrets. He too had lost a few things. He picked at his non-farmgrown salmon. Writing books is a dream for many; even Ted had written a couple of prescriptive manuals, and Marjie had formed a publishing house with her womyn partner to issue works of feminist anti-revisionism.

"So how are the kids?" he asked.

He took the words right out of my mouth. "Fine, how are yours?" And once more we vowed to meet again before too long, because time passes so quickly and a shared history must be respected and, after all, we used to be friends.

NOSTALGIA, LIKE jealousy, may do no good work, but remembrance provides the necessary fuel for taking stock. And so, although we had insincerely promised that we would meet again, we actually did. Once more I invited Ted Natter for coffee, lunch, or dinner—his choice. My telephone heartiness seemed to make him cautious. "Coffee," he said.

As we settled in at the café, I reminded him that the price of their brew had gone up, and we both recalled the pretty German hippie who used to serve the coffee, with her proud display of American idiom skills—"gut vibes," "hup tight," "Miles Davidtz." We were two old friends whose friendship had been a casualty of the times. The bond of dead friendship is still a bond.

I told him about the Weatherperson who had visited me to ask for money, seeming to offer her comely person as a door prize. Also about the Maoist of the Revolutionary Communist party, Splinter Faction Direct-Action Committee—not precisely its real name—a San Francisco social worker who came to ask for a contribution for Bob Avakian, the faction's chairman-in-exile now carrying on from the 13th *arrondissement* in Paris. Subcommander Helen did not offer sex or even hint at it. "Bob has read your works," she said. "He thinks you're salvageable."

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Ted listened attentively, letting me ramble. We had lived a history together.

"Yeah, that Avakian faction," he said. "That activist, did she have a Frida Kahlo decal on her Corvair?"

"She came by bike."

"Was it a ten-speed?"

Details, details. I didn't remember everything.

After his stint as a Russian Hill Maoist, Ted had settled into ameliorating the world's ills on a free-lance basis. No longer a revolutionary, he was an evolutionary. Frontal opposition seemed counterproductive; it was better to save the whales incrementally, one by one, and then move on to the dolphins. He wrote mailings for a foundation opposed to child labor and shark fishing (the whales being saved by others). "I'm doing a job," he said, "and I'm doing it good."

Now that Ted was no longer married—"between marriages," he said—and his child-support days were over, the living was pretty easy. The trousered sons were doing okay for themselves, one as a chef, the other as a middle-school teacher. He rented a bachelor apartment with cotton balls heaped in a glass jar, a stack of the *Nation* on an end table, shampoo and conditioner from a worker-owned store on a convenient shelf in the shower. He had earned his comfort. A Spanish-speaking cleaning woman came every two weeks, checked the cat box, changed the sheets, dusted and vacuumed, and what he didn't know about her legal status hurt neither of them.

The suffering urge for female companionship had also faded, calmed by regular payments to the jukebox at the Puccini Café, which stocked music from *Turandot* and *La Bohème* and gave a fellow between marriages his space for sentimental meditation.

And that stuff about wanting, if he could, to be bisexual?

"You remember that, Herb?"

"I do."

"That was just, I don't know, Marjie thought it was part of the program. Like McLuhan said, it was a probe."

Midlife tristesse had replaced indignation as his driving force. Without actually losing weight, his cheekbones had become more visible. He apologized for the hoarseness of his voice. "A little acid reflux, too much fried food," he explained, "and I ran out of Tums last night." So he had something else to believe in: calcium carbonate in an over-the-counter formula. With my normal kindliness, I asked him if his activities on behalf of the Cultural Revolution had been funded by others. "Are you a man of dependent means?"

"Pardon?"

"I mean, did you have . . . did your parents leave you a little something?"

"Herb, that's a low blow. Nothing major at all. A little house in, what difference does it make? But some, yes, so I did feel I needed to pay back."

He had paid back with strips of zucchini, squares of Monterey Jack, and drinks in his apartment with a view above North Beach. Some San Franciscans of insufficient faith had learned from a visiting ex-Quaker Maoist to have a little more faith. After a proper silence and mutual staring into the middle distance, we found ourselves recalling that last family dinner together. We were both embarrassed for me that I was still dwelling on the subject.

I consoled him by saying that, from this distance, Marjie's public pass at my wife, in the presence of the husbands, seemed to have the purity of heroic theory. Although it was doomed to be rebuffed and to cause purple blushing, it achieved its real goal as a demonstration. And when Ted had said, "I'd like to, but I just . . . can't find the right man," he had proved he was not yet pure enough. There were still obstacles in the way of sex as a political statement; he was still the selfish victim of his personal desires and appetites. For Marjie, on the other hand, the issue of whether she desired or not, whether she had an appetite or not, was irrelevant. She was proving a point. She was making a revolutionary gesture.

Like many fanatics, Marjie was consistent. She burned with the heat that enabled her to put dresses on her sons, those two boisterous and charming kids, kicking a soccer ball in their encumbering skirts. What other people called love was, for Marjie, a continuation of the war, and not merely the war between the sexes. It was a war against imperfection in the world, a struggle to the death.

The More Things Change . . . The More They Change

Peggy, a free-lance seeker who left part of her cerebral cortex on pawn with her LSD dealer, had a revelation, quite a few of them, and took up a new profession as seer of all things, past and future. She had brought her tarot cards to the apartment where I was living with Melissa, then still my wife-to-be, and offered her a reading, free of charge. She shuffled the cards, turned one over, perhaps another,

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mumbled, and pronounced: "A tall red-headed man will be most important in your life."

"But," Melissa said, "I'm going to marry Herb, and he isn't so tall or red-haired."

"Those are mere details," said Peggy. "But hey, congratulations."

Of course the cards must have meant me. I was of upper medium height, and black is just a short jump from red on the color spectrum.

Melissa and I may have thought we were immune to nonsense because we were *entertained* by the fads, by what everyone now calls the herd of independent minds, but we too breathed that air. Restlessness was seductive, the sweet sounds of young voices raised along with Grace Slick to invoke Alice when she was ten feet tall; it was contagious. Add the scent of eucalyptus and patchouli; add eyeballs revolving with medicated intimations of permanent youth and infinite pleasure. To experience the intoxication of the endless Summer of Love, you didn't even need the eucalyptus.

By the early 70's it seemed that every well-brought-up sensible woman was growing less sensible and less married. Donna, an entitled Old San Francisco hippie with whom I sometimes carpooled to school functions and other childcare duties, reproached me for writing for *Playboy*.

"Herb, that is a disgrace. You must stop. You owe it to yourself."

Her VW van was painted with flowers and mandalas. "Donna, I have five children to support. I can't do it writing for the *American Scholar*."

"You could try."

"You don't understand. You have a tax-free income of over a hundred thousand a year."

She was driving indignantly now, knuckles white on the steering wheel. "Herb, that is a dirty rotten lie. Ninety-seven thousand."

"Plus a house without a mortgage on Telegraph Hill."

She was driving indignantly and indignantly preparing her answer. She was used to being understood by men, or at least to seeing men furrow their brows with the effort or the pretense of understanding, because she was not only rich and Old San Francisco but also cute. Her dark glossy hair was sliced into bangs, shortening her forehead, making the large round blue eyes appear even rounder, bluer, more mysteriously baby-like in their rarely-blinking gaze. Such eyes were an important element in the will of many men, even liberated ones, to understand or pretend to understand.

"But I do all the cooking," she said.

Her parents had a resident cook; she did without. Her parents drove a white Cadillac; she drove a VW van with flower decals. Her husband was a lawyer, but on weekends he wore a buckskin jacket with Indian fringes. Eventually, of course, she too joined the Horsewomen of the Apocalypse and struck out for the territory ahead, which in her case meant keeping the house and trust fund but shaving her pubic hair in the shape of a heart. (How do I know this? Everybody knew this.)

The reason our world is filled with peace and love today is that Donna kept the faith.

DESPITE THEIR historical grooviness, despite the days of go-with-the-flow, of dancing in Golden Gate Park with the fragrance of fresh-smoked grass wafting above, the Natters' passion had not been to leap into the youth carnival as it then found us. Rather, they intended to control the world's unruliness with theory. For them, the necessary discipline could be achieved by surrendering control to a roster of distant perfect controllers, like Chairman Mao or, in moments of hectic inspiration . . . Germaine Greer.

Ted and Marjie's willingness to ride contentedly through the historical turbulence cried out for no explanation. They didn't need to justify themselves, because they knew. But after the unending Summer ended, folks were feeling angry in addition to groovy—irritated about parking meters, speed bumps, writers selling out to *Playboy*; mad about the justice system, not enough or too much affirmative action, abuse of food stamps. They were angry about not really ruling their own lives, as they had planned to do, after a season in which Freedom was the mantra. Sexual differences and gender confusions, mercury in the tuna salad, artificially ripened tomatoes—there was an all-ya-can-eat buffet of life details. Directions for installing new electronic equipment were too confusing; hangovers lasted too long.

In some cases, enough details accumulated even to incite doubts about recently adopted truths. The Cultural Revolution turned out not to be so cultural, the revolution a retrogression in the world's food supply and in human kindness. The children of the Love generation, who had so sweetly burbled "No, no!" at their elders during their terrible twos, were now heading toward the truly terrible sullenness of adolescence.

The final bell has not yet tolled for most of these friends of middle age, before rock and roll

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finished doing its damage to the ears of a generation. But if it hasn't tolled, it's tinkled in the wind. Groovy had its price. Men now awaken at night to trudge toward the bathroom. Women have declared either victory over the patriarchy or, in that postmodern version of victory, defeat. New causes are no longer allowed to be called "crusades."

Where are the flower folks now? Some live in Bolinas on the coast. A few cashed out before the dot-com crash and are tending to gated estates in Silicon Valley. Some, alas, have moved off this earth without making clear where they were headed. Donna is a doting grandmother with a succession of much younger lovers to dote along with her when she takes the grandchildren to Christmas productions of *The Nutcracker*.

Donna's hair is still glossy, the skin of her face unlined. Her well-managed trust has kept up with inflation, and she still lives the dream. Untouched by gray, but glowing with a mysterious purple radiance, her hair needs no chemical assistance to shorten her forehead, where it still emphasizes the untouched real estate of her very blue eyes. The face tuck is so tight that when she smiles, her ankles twitch. Even as she sails through later life, her choice of boyfriends remains curly-haired and smiley—young men who don't mind being taken care of.

"I'm a spiritual person," she says, though more into spirituality than generosity; nurturing is not really her thing. But for the smiley, curly-haired young men, a trust with monthly disbursements can serve just as well.

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MUSIC

Satchmo and the Scholars

Terry Teachout

THE TRUMPETER Louis Armstrong was universally recognized in his own lifetime as the key figure in the history of jazz. Though his reputation with the general public went into a partial eclipse after his death in 1971, the filmmaker Ken Burns rehabilitated him 29 years later with *Jazz*, a widely viewed (if controversial) 10-part PBS documentary in which Armstrong's pivotal contribution was extensively discussed. Virtually all of his commercial recordings have been transferred to CD, and his New York City home has been restored to its original condition and opened to the public as a museum.[1]

Despite his unquestioned preeminence, however, there has been surprisingly little serious academic research into Armstrong's life and work. Moreover, the only primary-source biography, Laurence Bergreen's *Louis Armstrong: An Extravagant Life* (1997), is so full of errors and misinterpretations that it cannot be considered a reliable source.[2] And while Armstrong gave hundreds of interviews and published numerous essays and articles (many of them written without editorial assistance of any kind), few have been collected. Of his surviving correspondence, only a small portion has been published in book form.

The publication of two new studies of Armstrong is thus especially worthy of note, not least because they appear at first glance to be very dissimilar undertakings. Penny M. Von Eschen's *Satchmo Blows Up the World: Jazz Ambassadors Play the Cold War*, a study of the world tours conducted by Armstrong and other musicians under the auspices of the U.S. State Department starting in the 50's, is essentially non-musical in its approach.[3] Thomas Brothers's *Louis Armstrong's New Orleans*, by contrast, is a detailed account of the trumpeter's early life (he lived in New Orleans from 1901, the year of his birth, until 1922, when he moved to Chicago) in which close and scrupulous attention is paid to the details of his musical development.[4]

Yet for all their differences, *Satchmo Blows Up the World* and *Louis Armstrong's New Orleans* have two important things in common. Both authors are out to prove a point—and the points they seek to prove, while arguable, are not so self-evident as they think.

THE INVOLVEMENT of the U.S. State Department with jazz is an obscure but fascinating chapter in the history of the cold war. It is not primarily a musical story—which is for-

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[1] The website of the Armstrong house is www.satchmo.net. *Portrait of an Artist as a Young Man: 1923-1934* (Sony 57176, three CD's), *The Ultimate Collection* (Polygram 54369, three CD's), and *Sugar: The Best of the Complete RCA Victor Recordings* (RCA Bluebird 63851) contain digitally remastered versions of most of Armstrong's major recordings. (*Portrait of an Artist* also contains an exceptionally fine biographical essay by the noted jazz critic Dan Morgenstern.) The best single-disc Armstrong anthology is *Ken Burns Jazz: The Definitive Louis Armstrong* (Sony 61440), a 25-track collection released in conjunction with the original telecast of *Jazz*.

[2] The best short treatment of Armstrong's life is Gary Giddins's *Satchmo: The Genius of Louis Armstrong*, originally published in 1988 as an illustrated coffee-table book and reissued in 2001 as a text-only paperback. In addition, Armstrong published two memoirs, the largely ghost-written *Swing That Music* (1936) and *Satchmo: My Life in New Orleans* (1954), an astonishingly vivid account of his youth that he wrote himself.

[3] Harvard University Press, 329 pp., $29.95.

[4] W.W. Norton, 336 pp., $26.95.

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tunate, since Von Eschen, who teaches history and African-American studies at the University of Michigan at Ann Arbor, is not a musician and knows little about jazz. She is, however, an assiduous researcher and skilled interviewer, and *Satchmo Blows Up the World* fills in many of the gaps in our knowledge of the program that sent Armstrong, Dave Brubeck, Duke Ellington, Dizzy Gillespie, Benny Goodman, and other noted American musicians abroad to represent the United States between 1956 and 1978.

As has often been remarked, jazz was widely perceived throughout the postwar world as a musical epitome of democratic values. This was one of the reasons why the State Department underwrote foreign tours by jazz musicians and broadcast their recordings behind the Iron Curtain on the Voice of America. Although similar claims were made for abstract expressionist painting, the fact that so many jazz musicians were black was seen as another point in its favor—for jazz, as Von Eschen observes, could "speak to America's Achilles heel of racism in [a] way that a painting by Mark Rothko or Jackson Pollock could not."

Von Eschen is keenly aware—as well she should be—of the cruel irony inherent in the fact that the tours were meant to burnish the reputation of the U.S., especially in the new nations of Asia and Africa, at a time when many of the musicians serving as informal "ambassadors" were still being treated as second-class citizens in large parts of their own country. She points to this contradiction, however, not as part of a balanced assessment of a complex reality but in support of her wholesale condemnation of "the magnitude and hubris of the multifaceted American projects of global expansion in the post-World War II world."

Revealingly, Von Eschen also dismisses as mere "post-cold-war triumphalism" the now common claim that jazz musicians played a part in winning the cold war, a notion that in her view serves only to obscure the myriad evils of "an America deeply implicated in the machinations and violence of global modernization." Even more revealingly, she refers to "the boisterous one-upmanship" and "masculinist adventurism" of the cold war as if U.S. opposition to Soviet Communism were nothing more than a rivalry between two sexually unsure teenage boys.

This, of course, is the way the cold war is now often portrayed in the American academy. Still, it is both jarring and exasperating when an otherwise useful piece of scholarship is disfigured by such strident excursions into hard-Left politics. One can scarcely help feeling that Von Eschen is "using" jazz in no less cynical a manner than did, allegedly, the State Department officials whose good intentions she impugns in *Satchmo Blows Up the World*.

Thomas Brothers is a scholar of an altogether different sort. A professor of music at Duke University, he is the editor of *Louis Armstrong, In His Own Words: Selected Writings* (1999), a collection of letters and autobiographical writings many of which had been previously unpublished and all of which were presented here for the first time in authoritative texts. Now, in *Louis Armstrong's New Orleans*, he has turned his attention to the largely untapped body of oral-history depositions and first-person memoirs left behind by Armstrong and the other New Orleans musicians who took part in the creation and early development of jazz.

Brothers's purpose is not merely to provide the first factually reliable account of Armstrong's early years but to describe in detail the complicated and poorly understood culture into which the trumpeter was born. As he explains in his introduction:

> Armstrong's image has often been tied up with stereotypes of noble-savage primitivism and God-given talent that is born and not made, but it is more interesting to discover how he was shaped by the musical and social complexities of New Orleans. . . . Armstrong lived a childhood of poverty, on the margins of society, and this position put him right in the middle of the vernacular traditions that were fueling the new music of which he would eventually become one of the world's greatest masters.

In all this, Brothers has succeeded beyond even the most fervent expectations of those who have eagerly awaited the publication of this book. Having read virtually the whole of the existing Armstrong literature, I can say unequivocally that *Louis Armstrong's New Orleans* is the best book ever produced about Louis Armstrong by anyone other than the man himself. Whoever writes about the musician from now on—myself included—will draw on it heavily and gratefully.

Central to Brothers's understanding of Armstrong's artistic development is the chaotic world of the young artist-to-be, which he sketches with clarity. The child of a fifteen-year-old part-time prostitute who lived in the roughest quarter of New Orleans, Armstrong was deserted by his natural father and later sentenced at the age of eleven to the Colored Waif's Home, an orphanage-like reform school, for the crime of firing a pistol loaded with blanks on New Year's Eve. "Many of the people who nurtured him," Brothers writes, "were impoverished, illiterate, and from broken homes."

That Armstrong should have surmounted such overwhelming disadvantages to become one of the world's most famous musicians is quite incredible. Yet for all of his success, he remained loyal to the New Orleans of his youth (about which he had no illusions), and unlike the self-conscious members of what the black sociologist E. Franklin Frazier famously dubbed the "black bourgeoisie," he never made any attempt as an adult to acquire the social polish of the middle class. In Brothers's words:

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> [H]e showed no interest at all in assimilating to white culture. He understood the advantages of seeing the best in people, but he despised those who "put on airs." His sharpest criticisms were directed at Negroes who were "dicty"—African-American slang for someone who pretentiously imitates whites.

Even at the height of his fame, Armstrong remained unpretentious and unassuming, and his worldview would always be that of a successful working-class black man who believed devoutly in the pedestrian virtues of hard work and persistence. "I think I had a beautiful life," he said not long before his death in 1971. "I didn't wish for anything I couldn't get, and I got pretty near everything I wanted because I worked for it." Accordingly, he had no patience with blacks who were unwilling to do as he had done, regarding them not with sympathy but contempt. "The *Negroes* always wanted *pity*," he recalled in a 1969 reminiscence of New Orleans life. "They did that in place of going to work."

BROTHERS RIGHTLY stresses Armstrong's close identification with "the common laborers, domestics, hustlers, and prostitutes who found themselves confined by the color line to the economic bottom of society." He was, after all, one of them, and his musical style, as Brothers eloquently observes, reflected the tastes of

> those people who loved to move their bodies in time with rhythmically exciting music, who spoke in musical ways, who admired instrumentally inflected singing and vocally inflected instruments, who regarded blue notes as the strongest notes you could play . . . who admired musicians with professional skills but could also appreciate music played by an amateur, as long as he showed willingness and heart.

Where Brothers goes astray, however, is in claiming that the origins of Armstrong's style were entirely vernacular, and that his lack of interest in "assimilating to white culture" extended to a similar lack of interest in Western music. It is true that Armstrong was shaped by the black popular music he heard as a boy, as well as by the "sanctified" gospel music he heard in church. Even so, he had an irresistibly curious ear, and from an early age it led him in unexpected directions. Late in life, for instance, he recalled buying his first record player, a windup Victrola, as a teenager. "Most of my records," he remembered, "were the Original Dixieland Jazz Band. . . . I had [Enrico] Caruso, too, and Henry Burr, [Amelita] Galli-Curci, [Luisa] Tetrazzini—they were all my favorites. Then there was the Irish tenor, [John] McCormack—beautiful phrasing."

In citing an all-white jazz band and four of the most celebrated opera singers of the day (the now-forgotten Henry Burr was a Canadian concert singer who recorded hundreds of ballads and popular songs between 1902 and 1929), Armstrong left no doubt of his willingness to learn from whatever caught his ear, including the harmonically sophisticated show and pop tunes by songwriters like Harold Arlen, Hoagy Carmichael and Noël Coward that he played with relish from the late 20's on. Later on, he would astonish interviewers by declaring with utter sincerity that Guy Lombardo was his favorite bandleader, and when he made his debut in 1956 with Leonard Bernstein and the New York Philharmonic, he told the conductor that "his most honored ambition" had been fulfilled.

NONE OF this means that Armstrong's *main* influences were other than vernacular. Nor, to be fair, does Brothers claim that the trumpeter was altogether devoid of interest in other kinds of music. Still, it seems to me that *Louis Armstrong's New Orleans* protests too much in portraying Armstrong as a quasi-folk artist whose musical development "would not have been one bit different had he never heard an Italian aria or a French folk song."

Why, indeed, should so fine a scholar insist on so exclusionary a view of so protean a musician? The answer may be found in the preface to *Louis Armstrong's New Orleans*, where Brothers remarks in passing that he sees jazz as "part of African-American history." This remark deserves closer consideration.

Of course jazz is very much a part of black history, and its emergence and growth cannot be understood without reference to the black experience in America, any more than can the life of Louis Armstrong. But jazz was not created in racial isolation. As I have written before, its roots were partly in Africa and partly in the West, and it is best seen as a form of African-influenced Western music, created by blacks, to whose century-long development both black and white musicians have made major contributions.[5]

To claim otherwise, as some critics and commentators have done, is to distort the history of jazz beyond recognition. Brothers does not make that mistake, but he does commit the lesser error of superimposing a political framework on the fruits of his research in something of the same way that Von Eschen insists on viewing the postwar history of U.S. foreign relations through the distorting prism of left-wing ideology.

It would be palpably nonsensical to contend that racial politics has had no effect on the development of jazz. But just as it is important to place Louis Armstrong within the context of the black experience that shaped his art, it is no less important to recognize that he was a universal artist, a man to whom nothing was alien, who transcended the particularity of his background, and who thereby embraced the world. That, as is the case with all truly great artists, is why he matters to us today.

[5] "The Color of Jazz," COMMENTARY, September 1995, collected in *A Terry Teachout Reader*.

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Books in Review

Sex Ed

Manliness
by Harvey C. Mansfield
Yale. 304 pp. $27.50

Self-Made Man:
One Woman's Journey Into
Manhood and Back Again
by Norah Vincent
Viking. 290 pp. $24.95

Reviewed by
Kay S. Hymowitz

THE AMERICAN male has been feeling blue. Whether from a loss of power in a postfeminist society, a dearth of dependable jobs, or the absence of compelling role models, he is said to be in the throes of a "masculinity crisis." Worse, the problem has trickled down, becoming what *Newsweek* has belatedly noticed as a "boy crisis."* Young males tend increasingly to be poor readers and restless students, and to lack the interpersonal skills demanded by our information economy. In higher education, as has been widely reported, 58 women now enroll in college for every 42 men, with the ratio worsening by graduation time as males drop out in larger numbers.

These two new books add to what is by now a sizable literature on the troubles of today's American male. In many ways, they could not be more dissimilar. Harvey C. Mansfield, the author of the brusquely titled *Manliness*, is a distinguished scholar of political philosophy at Harvard. Norah Vincent is a hip, young New York journalist and self-professed "dyke"; in *Self-Made Man*, she recounts her journey into American life disguised as a member of the opposite sex.

Vincent's book is the ovular answer to Mansfield's seminar. Where Mansfield is tweedy, formal, and analytical, Vincent is personal, street-talkin', and journalistic. Where Mansfield wrestles with Aristotle, Hobbes, and Nietzsche, Vincent spends time in "titty bars," a bowling league, and an encounter group. Mansfield's often dense contemplations are likely to appeal most to a scholarly readership; Vincent, by contrast, has already achieved celebrity, with her book being featured on *20/20*, in *People*, and on the cover of the *New York Times Book Review*. Finally, where Mansfield comes to praise manliness, Vincent concludes that the condition is a Sisyphean burden.

A more unlikely duo is thus hard to imagine—which makes their points of agreement all the more striking.

HARVEY MANSFIELD sets off into America's treacherous sexual wilderness with a clear destination in mind: to rescue manliness from the bear-like clutches of its enemies, in particular feminists and advocates of a gender-neutral society. As he notes, the opponents of manliness have tried to depose the term altogether, in favor of "masculinity." They want to expose manliness as a mere social invention, a rationale for male power.

But this, Mansfield observes, begs the question of why men have

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* The magazine trails Christina Hoff Sommers's *The War Against Boys* by six years and Midge Decter's "What Are Little Boys Made Of?" (COMMENTARY, December 1998) by eight.

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always had the power in the first place. He finds the answer in manliness, which he defines as "confidence in the face of risk," an "easy assumption of authority" that leads to an abundance of corollary qualities stereotypically associated with the male of the species. If the womanly tendency is to seek intimacy and personal warmth, the manly tendency is to dominate.

Mansfield concedes that the manly man is not always appealing. He can be willful and boastful, and patronizing toward women. But these annoyances are part of a package that makes the average Joe capable of greater heroism and command than the average Josephine. More open to facing risk, he is more likely to gain and wield power and to make his mark in the world. There can be manly women—Elizabeth I and Margaret Thatcher come to mind—but they are rare.

Male power is not a social artifact, Mansfield argues, but a reflection of our nature, as much a part of biological reality as testosterone itself. This explains the failure of the androgynous utopia promised by the 1960's. Even after decades of re-educating the young, the line between male and female activities has been "blurred" but not erased. Men, he points out, still drive trucks, fly planes, fix cars, and mow lawns. Women still teach kindergarten, empty hospital bedpans, and clean the kitchen.

The most popular current explanation for this divide is to be found in evolutionary biology. To Mansfield, however, Darwinians mistakenly tend to reduce manliness to raw aggression and dominance. Like scientists in general, they fail to see that manliness is a moral quality (a subject beyond the reach of their methods), and so they miss its essence. A deeper understanding, Mansfield insists, is available in literature and, above all, in philosophy.

THE ANCIENT Greeks in particular had ideas about manliness that Mansfield considers instructive for the contemporary mind. Both Plato and Aristotle described an element in the human soul called *thumos*, a kind of animal spiritedness or "bristling" that vies with our reason, especially in men. *Thumos*, Mansfield observes, has "no natural end beyond itself." It is an impulse that must be tamed and trained, channeled into the virtue of manly courage. Even while recognizing the danger of men's natural assertiveness, the philosophers understood that a good society had to "give it its due."

Modern thinkers, according to Mansfield, followed Darwin's lead in turning their backs on this valuable ambiguity and sense of balance. Nietzsche, William James, Rudyard Kipling, Teddy Roosevelt—all were "manly nihilists," advocates of assertiveness for its own sake, of "transcendence with no stated goal." Feminists, starting with Simone de Beauvoir and continuing with Kate Millet and Germaine Greer, also threw in their lot with such nihilistic thinking, simultaneously denouncing men for their animal aggressiveness and demanding the same self-assertive rights for women.

What really ails men, Mansfield concludes, is that their manliness is "underemployed." Feminism is only one of its enemies. Just about every modern tendency is hostile to the manly urge: the bourgeois yearning for comfort and security fails to channel manly excitability; professionalism rejects manly courage; even democracy, which defers to equality and reason, is no friend. "Manliness favors war, likes risk, and admires heroes," Mansfield writes. "Rational control wants peace, discounts risk, and prefers role models to heroes."

Mansfield hardly imagines that we can return to a society where men go off to be manly and women stay at home. Instead, he argues, we should revive a core distinction of liberalism: the divide between the public and the private. Sexual stereotypes would be discouraged in public life, but in private we "should admit that they are true"—and that they are what makes for mutual interdependence. The fact, for example, that women are physically weaker than men requires women to be "more aware, more realistic." The two sexes need each other in order to be fully themselves—and to be truly free.

MANSFIELD WOULD no doubt find it fitting that Norah Vincent's journey into the gender jungle is altogether more pragmatic and "realistic" than his own. It begins with her applying artificial stubble to her chin, getting a haircut and eyeglasses to harden the angles of her face, flattening her breasts inside a tight sports bra, and bulking up at the gym. But if all of this seems like gimmickry, Vincent is more method actress than transvestite. Her goal is to inhabit the experience of her alter ego—who goes by the name of "Ned"—and she does so successfully enough that by the end of the book she winds up in a psychiatric ward, exhausted and depressed by the pressure of maintaining an alien identity.

Her first adventure—joining a bowling league—leads her into foreign territory not just because it is male but because it is working-class; her team includes a repairman, a plumber, and a construction worker, most of them at or near middle age. A feminist and an educated blue-stater, Vincent is caught off guard by how much she likes these new comrades. She enjoys the natural warmth of their handshakes and how "tacitly attuned [the] men are to each other." Their easy camaraderie and directness are in sharp contrast to her usual experience with women's guile and "dime-a-dozen intimacies." No one reacts to Ned's inept bowling style with scorn or one-upsmanship, as Vincent implies that women might; in fact, the men

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are generous with pointers and quietly respectful when other men demonstrate especially impressive skills.

Ned's experience on the dating circuit also yields unexpected sympathy for men. In looking for love, Vincent finds, men are required to slog through a purgatory of rejection, hostility, and ambiguity. When Ned tries to talk up a few women at a bar, the lovelies "looked [me] over like inferior produce in the supermarket." Many women, carrying wounds from past relationships, would greet men with the "presumption of guilt," so much so that "they seemed incapable of seeing any new man as an individual." If that is not burden enough, men have to make sense of the female's "warrior/minstrel complex." Women want a man who is strong and will take the lead—who is manly in Mansfield's sense—but at the same time "expressive, intuitive, attuned." "Expectation, expectation, expectation," Vincent frets. "Finding the right balance was maddening."

Not that *Self-Made Man* is a panegyric to the male sex. Recounting her stint as a door-to-door salesman, Vincent shows us American masculinity in its crudest, most boastful frat-boy style. The worst part was her fellow salesmen's sordid conflation of financial success with performance in bed. "Everything about the business was sexual or an extension of male sexuality—conquest, confidence, capability."

In another chapter, Vincent patronizes strip clubs, discovering so big a gulf between female and male sexuality as to make her especially grateful to be a lesbian. Strip clubs wipe away "emotion, seduction, imagination, mental connection—the things that are, perhaps, the hallmarks of female sexuality." The grindingly mechanical lap dance appeals to the "painful compulsions" of the universal male urge. The men she sees brooding over their whiskey seem miserable. For many of them, Vincent speculates, the persistent craving for sex can only be a source of humiliation. If they objectify the strippers, it is not misogyny at work but the opposite: an effort to exorcise their shame and helplessness in the face of the priapic imperative.

What disturbs Vincent far more than men's vulgar sexuality is their emotional aloofness. When she spends time at a monastery—she was a religious Catholic in her younger days—she finds men who are desperate for "approval and support" but too rigidly reliant on masculine codes of reserve to look for solace. She sees the flip side of these same pent-up emotions in an all-

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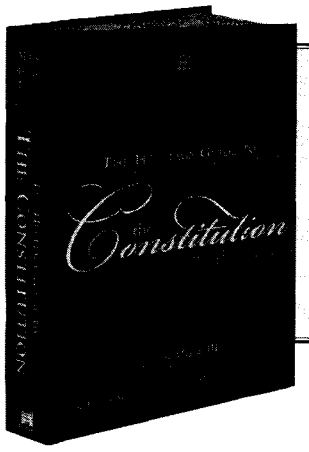

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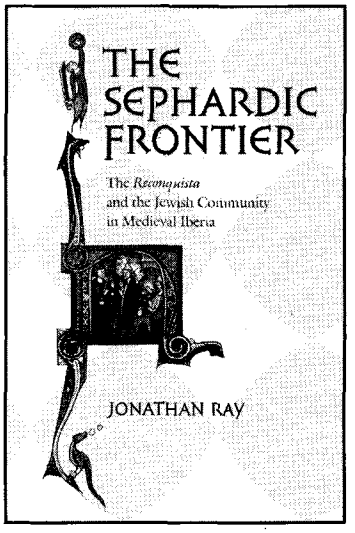

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male encounter group inspired by *Iron John*, the 1990 bestseller by Robert Bly. That the men make a point of hugging each other at every turn shows that, like the monks, they "needed a man's affection and respect, a man's approval, and a man's shared perspective on their feelings." During a bizarre weekend retreat that includes incense, tribal drums, and a large carved phallic talisman, they yelp freely about the emotions they have been forced to suppress.

For Vincent, in the end, American men are in crisis for a reason long stipulated by some feminists. They, too, are "victims of the patriarchy." They, too, suffer from "the toxicity of gender roles." Society asks them to play it strong, to give off "the illusion of impregnability," but as a result they lose touch with themselves. By the time Vincent goes on her Iron John retreat, she has decided that all men wear masks to satisfy society's impossible expectations. Her own disguise, she observes, "was the one thing I had in common with every guy in the room."

NEITHER OF these two timely books will entirely satisfy anyone trying to figure out what men really want. Mansfield's *Manliness* is tough going—even, I dare say, for the manliest of readers. When philosophical, it is too often abstract and mannered. (Virtue is "a combination of knowledge and manly spirit, each factor encouraging the other to do its worst or its best. To be altogether bad you have to be good at being bad, thus good.") When topical, it sometimes grates. ("War is hell, but men like it"; "women show a secret liking for housework and diaper changing.")

A more substantive problem with the book is conceptual. How do we distinguish Mansfield's idea of manly self-assertion from ambition, or a more general desire for recognition? "Manliness likes to show off and wants to be appreciated," Mansfield writes; it "expresses the importance of the individual." But surely women also want public notice, especially in a society like today's in which professional achievement more than domestic virtue defines personal merit. They may be less brash, but that hardly means they lack their own ways of becoming an alpha.

As for Vincent, she can be as naïve and simplistic as Mansfield is arcane. She expresses amazement that her working-class bowling partners are—imagine!—neither racists nor homophobes, and that men often see their privileges as a burden rather than an entitlement. Even more problematic is the way Vincent relies for her conclusions on a sampling of men at the margins. Her diagnosis of "masculine angst," for example, is drawn largely from her experience in the monastery and the Iron John group. This is a bit like visiting a hospital and declaring an entire country unhealthy.

A still larger problem—and here she would have benefited from a hefty dose of Mansfield's philosophical discipline—is Vincent's confused analysis of the nature of manliness. "Manhood is a leaden mythology," she writes. "You're not allowed to be a complete human being." The implication is that the world would be a better place if men were more like women. But this raises questions that never seem to occur to Vincent. *Can* men become more like women? And if they could, would they (or women) be more content?

Fortunately, Vincent's powers of observation are so astute as to override some of her more tenuous ideas. And what she actually observes recalls Mansfield's fundamental point: our sex is utterly basic to our identity. Indeed, Vincent's own homosexuality lends greater power to this insight. Although she is a masculine woman—as a child, she dressed "like a ranch hand" and was "a hard-core tomboy"—her X chromosomes will not be denied.

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A monk notices that Ned's "mannerisms are pretty effeminate" (an observation, Vincent quips, that had never been made about the mannish Norah). When she shops for cologne at a men's fragrance counter, she finds herself rubbing the inside of her wrists together before sniffing, the way women do; a hapless salesgirl notices and looks away in embarrassment. In a priceless moment, after she has confessed and finally convinced a bowling-league buddy that Ned is in fact Norah, the stunned man blurts out: "Wow, you're a f—in' chick! No wonder you listen so good!"

Vincent's concealed femininity guarantees failure on the dating circuit for similar reasons. She had assumed that women would be attracted to Ned— "the ideal man being essentially a woman, or a woman in a man's body." She was utterly mistaken. Women look for men who project confidence and authority; they want "brawny, hairy, smelly, stalwart, manly men; bald men, men with bellies, men who can fix things and, yes, men who like sports and pound away in the bedroom." Could it be, Vincent wonders, that there is "a preprogrammed and possibly inescapable grammar of gender burned on our brains?"

It is this deep psychological structure that Mansfield tries to bring to the surface. He has only partly succeeded, and his proposal that we play "me Tarzan, you Jane" in the kitchen while observing sexual neutrality at the office seems unworkable on its face. But he does make a compelling case that the natural "grammar of gender" clashes in basic ways with the vocabulary of contemporary aspiration. There remains a rift between the mystery of our sexual natures and the demands of our rational, bourgeois order. That being the case, the masculinity crisis is likely to be with us for a long time.

Good Cop

The Case for Goliath: How America Acts as the World's Government in the 21st Century

by Michael Mandelbaum

Public Affairs. 283 pp. $26.00

Reviewed by
Gary Rosen

When Michael Mandelbaum failed to win a big foreign-policy job in the Clinton administration in 1992, insiders speculated that there had been a personal falling-out between the President-elect and his eminently qualified campaign adviser. The distinguished professor of international relations at Johns Hopkins was apparently a Friend of Bill no more. That there was also a substantive dimension to the split was suggested by the *Los Angeles Times*, which reported that Mandelbaum simply "did not share the views of top officials" on the new foreign-policy team. It was a taste of things to come.

By the end of Clinton's first term, Mandelbaum had emerged as one of the fiercest critics of the administration's record. A rare foreign-policy realist in the Democratic camp, he saw the post-cold-war era as a moment for the U.S. to walk softly and to keep its big stick in reserve, especially in dealing with the other major powers. Clinton, Mandelbaum charged, had wasted American might on peripheral issues, heedlessly pushing for NATO expansion despite Russian objections and engaging in a series of feckless humanitarian interventions in Bosnia, Somalia, and Haiti. As he wrote in *Foreign Affairs*, in an oft-cited barb, the administration seemed to view foreign policy as "a branch of social work."

Gary Rosen *is the managing editor of* Commentary *and the editor of* The Right War? The Conservative Debate on Iraq (*Cambridge*).

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By Charles Murray

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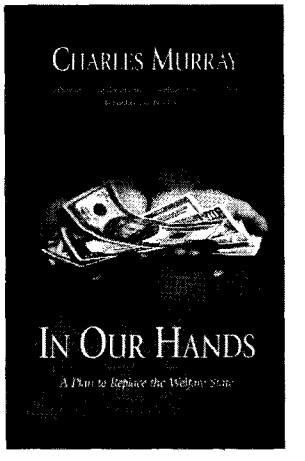

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One might have expected Mandelbaum to be no less stinging a gadfly in response to the brash, go-it-alone idealism of George W. Bush, but that has not been the case. During years in which his fellow foreign-policy realists have grown increasingly alarmed by America's actions abroad, he has stepped back from the fray, becoming more historical in outlook. In *The Ideas That Conquered the World* (2002), brought out in the wake of 9/11, he argued that the crisis of the moment should not distract us from the astonishing advance of peace, democracy, and free markets in the decades since World War II. Obstacles remained, to be sure, but the grand trend was what mattered most.

Mandelbaum's new book, *The Case for Goliath*, is a sequel of sorts, an assessment of America's role in maintaining and extending today's dynamic liberal order. As a piece of analysis, it is authoritative and wide-ranging, if not always persuasive. As a contribution to the current debate, it is invaluable—an eloquent reminder of the difference between a mature realism and its often hysterical present-day imitators.

MANDELBAUM'S STARTING point is empire, or rather his impatience with those who use the term to describe the current international posture of the United States. For all of its power and influence, America simply does not bear comparison with the regimes under which Roman legionnaires, Habsburg grandees, and pith-helmeted Brits once dominated much of the world. As he notes, the hallmark of empire is direct, coercive control—"a dictatorship by foreigners"—and that is not how America operates. The obvious exceptions to this rule, in places like the Balkans or Iraq, have been notable for the eagerness with which the U.S. has attempted to extricate itself. Real empires do not count body bags.

For Mandelbaum, there is a more accurate and benign label for the international role now played by the U.S. We are, in various ways, the world's *government*—not an exploitative overlord but, in his view, a too often unappreciated provider of essential services, or what economists call "public goods." As Mandelbaum puts it, in a zoological metaphor, the U.S.

> is not the lion of the international system, terrorizing and preying on smaller, weaker animals in order to survive itself. It is, rather, the elephant, which supports a wide variety of other creatures—smaller mammals, birds, and insects—by generating nourishment for them as it goes about the business of feeding itself.

America provides these benefits not because it is altruistic but because its own interests coincide to a large extent with those of many other nations.

The first and most apparent of these services is economic. It is the U.S. whose navy safeguards the transport of the world's oil supply, whose dollar serves as a de-facto global currency, and whose loans bail out countries in financial distress. It is the U.S. that provides the primary impetus for free trade, using its leverage to resist barriers among developed and developing nations alike. Finally, it is the American economy that remains, in Mandelbaum's words, "the indispensable supplier of demand to the world," making possible, among others things, the rapid, export-led growth of much of Asia.

On the security front, America's international commitments have evolved since the end of the cold war, Mandelbaum argues, but still form the bulwark of world peace. Deployments in Europe that once served to deter the Soviet Union and its allies now provide stability to a largely demilitarized continent, offering "reassurance" against the possibility of a resurgent Russia or Germany (and allowing Europeans to scrimp on defense spending). In East Asia, which abounds with potential flashpoints, the American presence calms nerves all around, from the Taiwan Strait to the Korean peninsula. At the global level, no other nation has done more to avert the spread of nuclear weapons or to isolate rogue regimes.

And how has the U.S. been rewarded for making the world "safer and richer"? All too frequently with suspicion and even outright hostility, Mandelbaum laments. Part of the problem, of course, is unpopular policies, like the war in Iraq. More fundamental are America's strength and freedom of action, which breed resentment. Nor does it help that the complexities of a shrinking world are, for many people, most easily understood as the result of conspiracies hatched in the dark recesses of the Pentagon. At best, Mandelbaum suggests, the governing functions performed by the U.S. have earned the world's begrudging acceptance, a "tacit recognition" that America is no threat and that its role, on balance, is a positive one.

For Mandelbaum, the great surprise is not that others take these services for granted but that his fellow citizens have for so long shouldered the costs of providing them. There is nothing inevitable, he cautions, about America's superintendence of a range of global goods. Indeed, Mandelbaum closes with a dire prediction: that the nations of the world will never foot the bill for their star-spangled "government," that "they will continue to criticize it," and that "they will miss it when it is gone."

The Case for Goliath is not intended as a paean to American statesmanship, least of all as a tribute to the Bush administration. Mandelbaum recognizes that the U.S. does not always play by its own rules or use its resources wisely. Though he justifies the war in Iraq on realist

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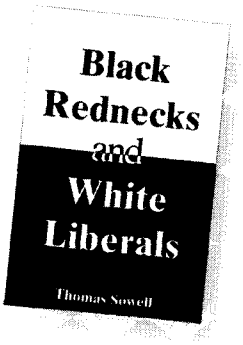
grounds—as an effort "to prevent Saddam from acquiring weapons with which he could overturn the status quo in the region"—he is deeply skeptical about America's nation-building ambitions in the region. "Imitation," he suggests, "is the motor of history," and the world's backwaters will soon enough recognize on their own that "power and prosperity" are the fruit of "democracy and free markets."

There is much to criticize in the complacent passivity of this view, which Mandelbaum is hardly alone in sharing, particularly as it applies to the modern Middle East. It is of a piece with his reluctance during the 1990's to see the wider moral and political interests at stake in opening NATO to the once-captive nations of the Warsaw Pact and in resisting ethnic cleansing in the former Yugoslavia. But that is a discussion for another day. In this book, Mandelbaum's concerns are not so much prescriptive and policy-oriented as they are broadly philosophical.

His aim, in short, is to recast the basic assumptions of today's foreign-policy debate. What makes his argument so compelling in this regard is his deft reversal of the principal charge made against the U.S. since 9/11. As he sees it, far more worrisome than America's occasional reluctance to cooperate with international institutions and abide by their norms—our much-denounced "unilateralism"—is the failure of the rest of world, and of key elements in our own elite opinion, to acknowledge the enduring and widely shared advantages of American primacy.

Whether these services make the U.S. the "world's government" is a contestable point; after all, as Mandelbaum himself concedes, our various international roles lack the legitimacy that only genuine consent can bring. But the analogy is useful for its boldness, especially at a moment when prominent constituencies at home and abroad are devoted to demonizing America power. To the extent that their overheated rhetoric sways the American public, Mandelbaum warns, their wish for retrenchment may come true, with ugly and predictable consequences.

Among those now marching under the banner of "Come Home, America" are a number of well-known foreign-policy realists, an irony that cannot be lost on readers of *The Case for Goliath*. Realism's claim to our attention lies in its promise to take the long-term view, to assess the facts of international power without sentiment or ideological prejudice. The failure of so many of its self-styled disci-



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ples to meet that standard only serves to highlight the achievement of Michael Mandelbaum.

Overcoming

Winning the Race:
Beyond the Crisis in Black America

by John McWhorter

Gotham. 434 pp. $27.50

Reviewed by
James Nuechterlein

IT IS noteworthy that the subject of race, a matter of obvious intrinsic importance, has in recent years been relegated to the margins of American political discourse. This rhetorical neglect may or may not be of the "benign" sort Daniel Patrick Moynihan proposed in 1970, but it is hard to deny that the discussion of racial issues has become so bogged down in tired and unpersuasive formulas that the audience for it has largely disappeared. Although the civil-rights establishment continues to issue periodic denunciations of a pervasive white racism that can only be overcome through multifarious government programs, and although a certain number of whites duly murmur agreement, most people have sensibly concluded that this is a form of political theater to which attention need no longer be paid.

John McWhorter, a senior fellow of the Manhattan Institute and formerly a professor of linguistics at Berkeley, agrees that racial conversation in America has come to a dead end, and that a fundamental rethinking is required if it is to be turned in a useful direction. In his new book, *Winning the Race*, he directs his appeal to his fellow blacks, who, he thinks, have fallen victim to erroneous propositions and programs encouraged, and often initiated, by disastrously well-intentioned whites. His is not an unfamiliar argument, but he makes it fresh with new evidence and bracing rhetorical urgency.

MCWHORTER RECOUNTS the conventional story of race in America since the civil-rights revolution of the 1950's and 60's. For all the progress that has been made, especially with the expansion of the black middle class, there remains the degradation of the black inner city, with the attendant crime, drugs, joblessness, illegitimacy, and fatherless families. The fault for this, most blacks (and most white liberals) insist, rests with whites, in some combination of persisting racism and heedless policy-making whose result has been deleterious to blacks' well-being.

While stipulating that black progress has not been what it ought to be, McWhorter vigorously dissents from the notion that blacks should look to whites as the source of their continuing discontents. Racism, he suggests, continues mostly in vestigial form; it is not today the vicious monolithic "system" that for so long made comprehensive black improvement impossible. The idea that "black America's problem is white people" is simply no longer true.

McWhorter takes particular aim at a more subtle form of this same indictment that focuses on the post-1960's transformation of troubled but livable black ghettos into decayed inner cities. This he sarcastically labels the "underclass saga." Central to it is the argument, most fully elaborated by the Harvard sociologist William Julius Wilson, that black communities began to fall apart with the disappearance of low-skill jobs as factories moved out of the cities to the suburbs or overseas. Other components of the saga focus on housing discrimination (which, reinforced by white flight, made it impossible for blacks to keep up with the job exodus), the loss among poor blacks of social role models as the black middle class deserted the inner cities, the creation of high-rise public housing projects that atomized black communities, indiscriminate highway construction that left hitherto compact neighborhoods divided and isolated, and an infestation of drugs—crack cocaine in particular—that wreaked general social havoc.

McWhorter concedes elements of truth in the saga, but overall finds it lacking in explanatory power. As others have done, he attacks the narrative at its heart: the supposed disappearance of factories and jobs. His own investigation of Indianapolis, a city not previously studied, leads him to conclude that, in general, factories there moved only a short distance from their former sites, remaining within reach of available transportation. And yet Indianapolis's inner city underwent the same process of decay and degradation as did those places, like Detroit and Chicago, on which the job-exodus thesis is modeled.

Other aspects of the saga suffer from similar weaknesses. Is it really the case, McWhorter asks, that working-class blacks, deprived of role models, have had no choice but to lapse into social decadence? That housing discrimination stopped blacks from searching out jobs when, as he shows for Indiana, workers in poor white counties would often commute considerable distances to find work? That high-rise buildings and intrusive highways were enough to destroy black community? That drug dependence and drug dealing were simply imposed on black neighborhoods?

FOR MCWHORTER, the real problem with the saga, taken in part or in whole, is that it robs blacks of moral agency. Instead, they are pic-

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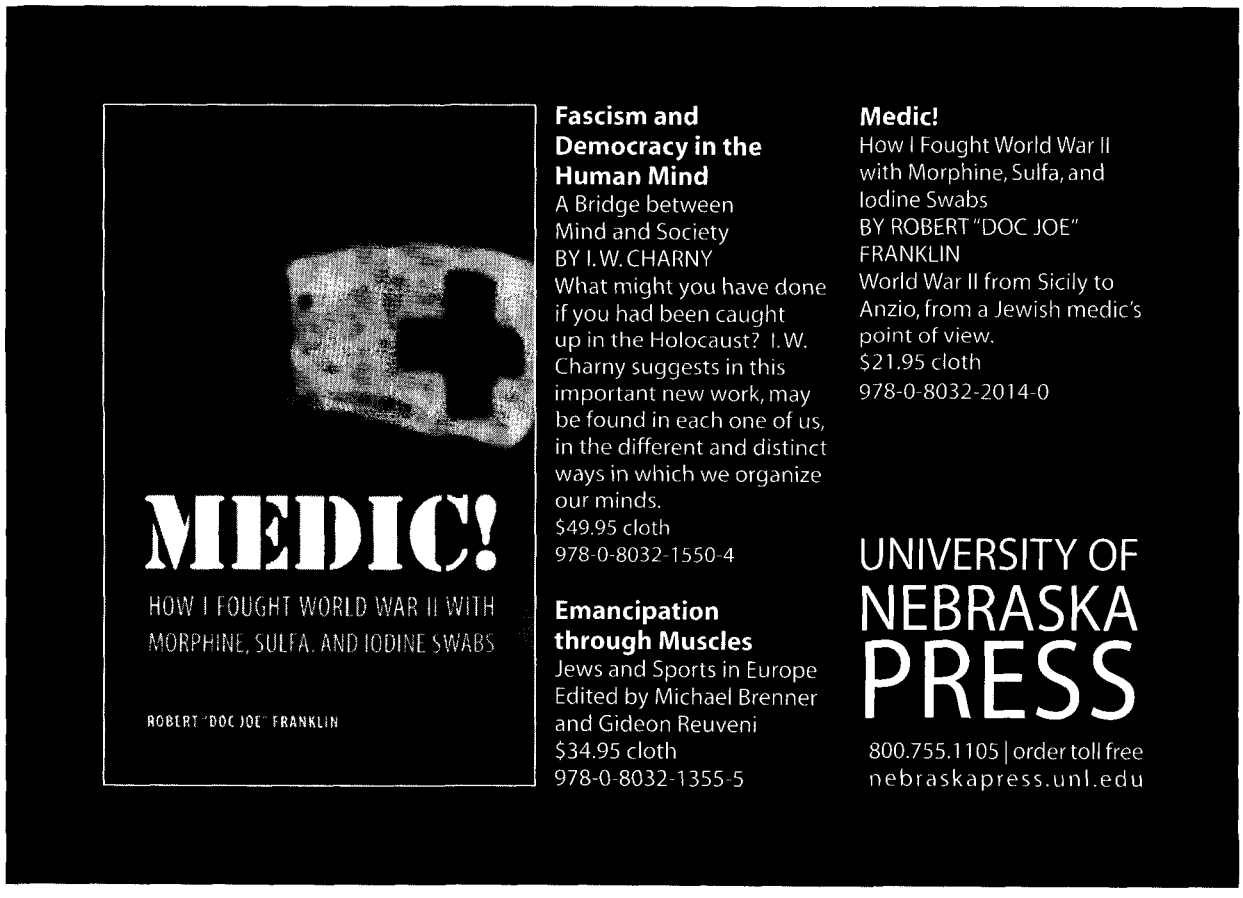
tured as people to whom things happen, defenseless victims of malign external forces that they lack the resources to resist. He has a different explanation for what his subtitle calls "the crisis in black America." Like the underclass saga, it is an explanation that also implicates whites; but that is where the resemblance ends. For these are whites motivated not by racism but by high-minded good will.

There was, first, the easing of regulations on Aid to Families with Dependent Children (AFDK) in the late 60's and early 70's. This move, affecting poor blacks disproportionately, led to a vast expansion in the numbers on welfare, transforming it from a "stopgap" measure into a "multigenerational dependence program." The loosening of AFDC rules, coming at a time of prosperity and declining unemployment, had nothing to do with economic necessity. Rather, McWhorter writes, the motive was "one part expiation for past sins against blacks and one part riot insurance."

Whatever the reasons behind it, the expansion of welfare into a "lifestyle" had crippling effects on the black community: increased childbirth out of wedlock and an associated rise in fatherless families, a decreased incentive to look for work, and a general decline in individual responsibility. Nor was that all. As debilitating as were the effects of widespread welfare dependency, even worse was the spread in the black community of what McWhorter dubs "the meme of therapeutic alienation"—an outpouring of "indignation for its own sake" that was picked up mainly by blacks from the white counterculture of the 60's.

This is McWhorter's major theme, explored in a series of chapters touching on political and cultural behavior, black middle-class rage, the academic discussion of racial matters, educational issues (low performance, affirmative action, "diversity"), hip-hop music, and black leadership. In McWhorter's view, the relentless negativity of therapeutic alienation proceeded mostly from widespread insecurity and self-doubt over the ability of blacks to take full advantage of the opportunities opened up by the civil-rights revolution. Slavery and segregation, he poignantly notes, had left black America with a "hole in its soul," and that hole, still not fully healed, has tempted blacks to cling to outmoded and unrealistic notions of an all-devouring white racism, notions that have gotten them pretty much nowhere.

Much of McWhorter's discussion of the sources and effects of thera-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peutic alienation covers oft-trod ground. Not so, his analysis of middle-class black anger, exemplified most vividly in Ellis Cose's 1993 book, *The Rage of a Privileged Class*. According to the "rage" thesis, even highly successful blacks find their lives blighted by daily encounters with racist slights, ranging from persecution by police ("driving while black") to being followed by suspicious store clerks, ignored by taxi drivers, or assigned restaurant tables next to the kitchen.

To all this McWhorter counters flatly that it is not the story of his own life or, more broadly, the lives of the high-achieving blacks he knows. Slights do occur, but they are emphatically not, as Cose suggests, "most of what life is" for black professionals in what McWhorter calls "this imperfect but promising nation."

THAT TOUGH-MINDED assessment is but one of the virtues of this admirable book. Unfortunately, it must also be said that *Winning the Race* would have benefited from rigorous editing, and indeed from being reduced by half. It is numbingly repetitive, padded with unnecessary examples, and bogged down in digressions and personal score-settling. One can only hope that forbearing readers do not allow these flaws to detract from their experience of a brave and often eloquent piece of social criticism, and one whose thesis deserves wide circulation.

In this book, McWhorter exhibits his own, appropriate form of black rage, directed against the posturing and theatrics of too many black leaders and the hypocrisies of guilt-ridden whites "pretending to like being yelled at." And yet, for all its anger, *Winning the Race* is also a positive book, just as its title promises.

McWhorter teases out elements of hope in the nation's current racial situation. The Welfare Reform Act of 1996 has cut welfare rolls by something like 60 percent without increasing rates of poverty, and shows signs of ending the culture of dependence. Other statistical measures of urban pathology have also begun to turn around. In the meantime, both blacks and whites are tiring of the "mantras and buzzwords" of therapeutic alienation that have for so long made our racial discourse essentially inauthentic. Nobody talks seriously any more of either Ebonics or reparations.

George Orwell long ago instructed that the minimal condition for a decent politics is that we rid ourselves of cant. It is thus a salutary thing that our old racial conversation has come to a dead end. *Winning the Race*, whatever its flaws, contributes seriously to the necessary new beginning.

Memorabilia

The World to Come

by Dara Horn

Norton. 320 pp. $24.95

Reviewed by
Hillel Halkin

ONE MIGHT not expect a first novel by a twenty-five-year-old graduate student at Harvard to come out in paperback a year after publication, as Dara Horn's *In the Image* did in 2003, complete with a "Reading Group Guide" that featured an interview with the author and a series of "Discussion Questions." Nor might one expect the author to say of her novel in that interview, "I wanted to create a different style for American Jewish literature." Such a level of ambition, and of having one's ambitions taken so seriously, is rare for someone so young, even in an American literary culture in which youth opens many doors.

The "different style" that Dara Horn wished to create in *In the Image* was defined in the interview as "connected to the Jewish literary tradition of constant reference to an ancient text," and a list under "Suggested Further Reading" named some of the texts the novel draws on. These included the book of Job; Yiddish and Hebrew stories by I.L. Peretz, Nahman of Bratslav, S.Y. Abramovitch, Sholem Aleichem, and Hayyim Nahman Bialik; S.Y. Agnon's Hebrew novel *A Guest For the Night*; the daily Yiddish *Forward*'s *Bintel Brief*; and Yiddish poems by H. Leivick and Jacob Glatstein. If this suggested a highly intricate work of fiction whose readers had to exert themselves to keep in mind its different stories, characters, images, motifs, and the connections among them, it suggested correctly.

Now Dara Horn's second novel, *The World to Come*, has appeared, and it is as intricate as the first. Under "Suggested Further Reading," one might begin with the novels and stories of the Yiddish writer Pinhas Kahanovitch ("Der Nister"); a biography of Marc Chagall; Yiddish stories by Itsik Manger and Sholem Aleichem; the Peretz and Nahman of Bratslav stories from *In the Image*; a Jewish legend that first occurs in the talmudic tractate of Nidah and in the Midrash Tanhuma; and perhaps, for good measure, one or two Platonic dialogues, starting with the *Phaedo* and Book VII of *The Republic*. And yet *The World to Come* can also be read pleasurably without "further reading" of any kind, although not without having to keep a great deal else in mind.

HERE, IN order of appearance, is some of the great deal else:

(1) *New York, the present.* Benjamin and Sara Ziskind are a twin brother and sister in their late twenties. Sara is a painter, married to the Russian Jewish immigrant Leonid

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HILLEL HALKIN *contributed "Israel's Media Problem" to the February* COMMENTARY.

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Shcharansky, and Benjamin writes the questions for a *Jeopardy!*-like quiz show. Both their mother Rosalie, an author and illustrator of children's books, and their father Daniel, a lawyer and Vietnam-war amputee, are dead. While attending a Chagall exhibit at a Jewish museum, Ben sees a small painting of a Jew walking in air above the rooftops of a Russian shtetl and recognizes it as having once belonged to his family. Alone in the room, he steals it on an impulse and takes it home beneath his coat.

(2) *Russia, 1920.* Boris Kulbak is an orphan in a Jewish boys' home near Moscow. His new art teacher, a friend of the young Yiddish writer Der Nister, is Comrade Chagall—who, struck with a painting by Boris, offers to trade him a Chagall for a Kulbak. Boris's painting, of a baby in the womb, was inspired by a legend told him by his dead mother about how every unborn baby has an angel that teaches it "all the secrets of the universe" and then strikes it above its upper lip before birth, making a dent there and causing it to forget all it has learned. Chagall's painting is of a Jew walking in air above the rooftops of a Russian shtetl.

(3) *About 1910.* Der Nister travels to Warsaw to pay a call on his literary idol, I.L. Peretz. Alluding to another legend, Peretz tells him: "When the hour arrives for us to proceed to the next world, there will be two bridges to it, one made of iron and one made of paper. The wicked will run to the iron bridge, but it will collapse under their weight. The righteous will cross the paper bridge, and it will support them all. Paper is the only eternal bridge. Your purpose as a writer is to achieve one task, and one task only: to build a paper bridge to the world to come." A few years later, Der Nister writes a story about such a bridge.

(4) *The present.* Erica Frank, an attractive young assistant curator at the Jewish museum, is put on the case of the stolen Chagall. She finds Benjamin Ziskind's name in the museum's registry book and contacts him. Ben is short, thin, extremely shortsighted, somewhat ungainly from having to wear a therapeutic brace in childhood, and recently divorced, but Erica is drawn to him. Later that day, it comes to her attention that the painting's original owner was Rosalie Ziskind, an author she had read and loved as a child.

(5) *About 1985.* Sara, a small girl, accompanies her mother to an art dealer who is selling the Chagall painting for the family. On their way, Rosalie tells her: "I believe that when people die, they go to the same place as all the people who haven't yet been born. That's why it's called the world to come, because that's where they make the new souls for the future. And the reward when good people die . . . is that they get to help make the people in their families who haven't been born yet." At the dealer's, they are introduced to a Russian art buyer, Sergei Popov. Rosalie feels physically ill and leaves with Sara at once. The painting stays with the dealer.

(6) *The mid-1920's.* Der Nister is living in poverty with his wife and daughter in Berlin. He thinks of a Jewish folktale: before a child is born, a hand scoops him up and "take[s] him on a tour all over the world, from morning until evening, showing him everything he will see [in his life]. . . . And the child is frightened—not of dying, but of living. He is so frightened that he refuses to be born, spitting on the hand until it smacks him across the face, removes his memory, and casts him out."

(7) *1956.* Daniel Ziskind is a twelve-year-old, living in New Jersey. One day he goes for a walk in

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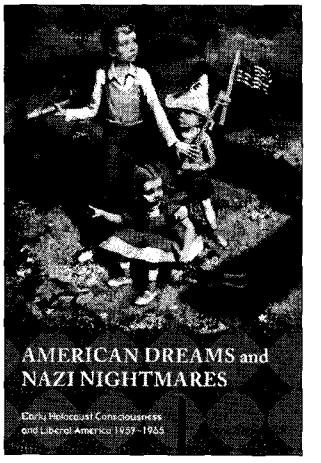

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the woods and comes across a waif-like girl who speaks only Yiddish, a language he knows from home. Her name is Reyzele and she and her mother have just arrived from Russia. The two of them become friends, then teenage lovers; they read Yiddish stories together—Peretz, Der Nister—and eventually marry.

(8) *About 1965.* Daniel, now a soldier in Vietnam, steps on a booby trap in a Vietcong cave. Between "bouts of vomiting and wrenching convulsions," he remembers "a story by some Greek philosopher about a cave. In the story, people were trapped in a cave, chained to a rock. One of them managed to leave the cave, going outside and seeing the sun and the trees and the whole rest of the world, and then he went back inside the cave to tell the people there about everything they were missing. But the ones inside couldn't understand what he meant."

(9) *The present.* Erica confronts Ben: she knows he has stolen the painting and offers to give him a chance to return it. Ben tells Sara. Sara shows Ben an old letter she has found in which the art dealer informs their mother that the Chagall painting is a fake and advises her to let Sergei Popov keep it. Ben goes home, falls asleep, and dreams that "the world to come that his parents had always talked about was not an afterlife at all, but simply this world, come—the future world, your own future, that you were creating for yourself with every choice you made in it."

(10) *The present.* Erica discovers that Rosalie Ziskind plagiarized the stories of her children's books from Yiddish writers: Peretz, Der Nister, Itzik Manger. (The Manger story is about a soul that tricks the angel of forgetfulness and enters the world remembering everything it has learned.) Ben says, in Rosalie's defense, "My mother rescued all these stories that were buried in library vaults and that no one would ever read again." He confides to Erica that his mother forged the Chagall painting, too. Erica does not believe this and reveals to Ben a secret code on the back of the canvas that can prove the painting is real. She and Ben are falling in love.

(11) *Moscow, 1949.* Soviet Russia's Yiddish writers are being liquidated by Stalin. Der Nister, old and weary, lies in bed with the woman he now lives with. He "move[s] his hand across her breast, her hair, her face, until his finger land[s] in the deep dent above her lips, just below her nose. The impression of an angel." The secret police arrive and arrest him. As he is taken off, he has a vision of his dead daughter: he and she are flying above the rooftops of a Russian shtetl, "crossing the paper bridge he had built from the earth to the sky."

(12) *The present.* Sara is pregnant. She and Ben discover that the painting has the secret code: it is real after all. The art dealer and the Russian buyer have defrauded them. Sara expertly forges another copy of the painting for Ben to return to Erica and they keep the original.

(13) *Moscow, 1951.* Boris Kulbak, a married engineer with a daughter named Raisya (her Yiddish name is Reyzele) befriends his downstairs neighbor, a museum curator named Sergei Popov. He tells Popov about his wartime activity for the Jewish Anti-Fascist Committee, now on the Soviet blacklist. Popov is a secret-police agent. One day Kulbak is arrested by him and taken away to his death in front of Raisya.

(14) *The present.* Ben, Sara, and Leonid visit the Jewish museum to see Sara's forgery, now hanging "again" on the wall. A terrorist bomb goes off. Sara and Leonid stagger out with the crowd. Ben fights his way through smoke, devastation, and blood to get to Erica's basement office. He reaches the door and calls her name. Then, we are told, "he opened the door and entered the world to come."

(15) *The present.* Daniel Ziskind Shcharansky, Sara's child, is being prepared for life on earth by his mentors in the world to come. Among them are a bathhouse attendant named Boris, a waiter named Daniel, and a bargirl named Rosalie. He bathes in Paradise's pools of different emotions, consumes meals consisting of masterpieces of art, and for drink is served great literature. The waiter takes him to see the "Tree of Life" by traversing a bridge built of human mistakes, which are "a very durable building material." When it is time for baby Daniel to be born,

> Something strange ran its hands over his back, a sudden chill. He looked over his shoulder and saw his wings detached from his body, blasted into bones and feathers swiveling in the cyclones of cold wind. He screamed.
>
> "Listen to me, Daniel," Rosalie said. . . . She waved an arm behind her, at the paradise beyond the bridge. "This whole world to come is just an imitation of the real one."
>
> "A forgery, if you will," [the waiter] said, winking at Rosalie. . . . "The real world to come is down below—the world, in the future, as you create it," Rosalie said.
>
> * * * *
>
> And then his grandfather Daniel pressed a finger to his lips.

YOU NEEDN'T worry that I've given away the plot of *The World to Come*. There's lots more.

There is also much to be said for this novel. Dara Horn is skillful with words. She is serious about writing "Jewish literature," and she knows her Jewish sources and treats them sensitively. Good at describing people and places, she is also good at dialogue. And she has the ability to construct a complex story from a large number of components and to build an utterly coherent whole out of them. *The World to Come* is architecturally complicat-

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ed, but as architecture it "works" beautifully.

And yet I put this book down feeling troubled.

It is of course perfectly legitimate to take an ancient and a charming Jewish legend about prenatal learning-and-forgetting of Torah and expand it into the central conceit of a novel. Nor is the idea behind the legend merely charming. It is related to the feeling of some people, perhaps originating in the eerie phenomenon of *déjà vu*, that they come from an "elsewhere" in which they have known and seen things no longer remembered, and to the Platonic doctrine of reminiscence that holds that we know and recognize certain truths in this world because we have been born with preexistent knowledge. (Quite possibly, the original midrash in Tanhuma was influenced by this Platonic notion.) Our souls are older than our bodies and have already been to school.

This is an idea that a novelist can do a lot with—and Dara Horn does. Moving back and forth in time and space, she traces the path taken by the legend as it progresses through her characters, starting with Boris Kulbak, who has heard it from his mother and passed it on to his daughter, who passes it on in her own variation to her two children, one of whom has a baby in her womb. It runs through the book like a thread that keeps us from losing our way, serving as a realistic balance to the fanciful final chapter about the education of the unborn Daniel's soul. There are, the novel tells us, two ways of thinking of the manifold ways in which we mysteriously resemble those who have come before us: one by exploring the biographical lines of transmission, and one by turning them into myth.

It is the question of transmission that links the "Torah in the womb" theme of *The World to Come* to the motif of forgery and plagiarism. Because all of us enter this world with innumerable traits and predispositions that we owe to others, we are all "plagiarisms" to one degree or another—as are, also, all works of art, there being no artist who is not deeply influenced by his predecessors (and perhaps no genuine Jewish writer who has not been affected by great Jewish texts). The difference between the plagiarized and the authentic is that the authentic inwardly appropriates its sources and acknowledges its debts to them; the freedom to be oneself depends on understanding where one's room for maneuver lies, which in turn depends on understanding what has made one who one is.

In this sense, there would appear to be a perfect match in *The World*

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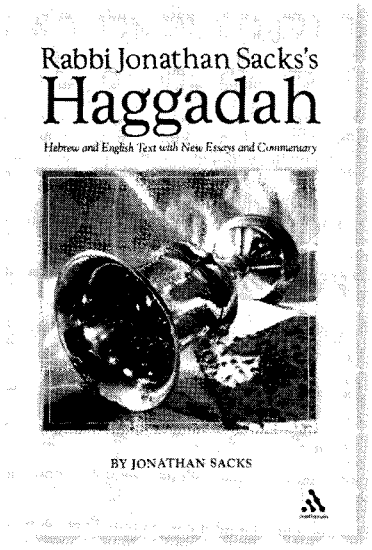

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to Come between form and content, since in a formal sense, too, the novel balances between the borrowed and the original, utilizing preexistent texts and stories to forge a new story of its own. Like *In the Image*, it comes with an appendix, an author's note, in which Dara Horn informs the reader of her sources: the angelic mentors, as it were, of her novel's prenatal life.

WHAT, THEN, troubles me? It is this.

The World to Come, whose punning title leaves us guessing whether Benjamin Ziskind has gone to his death trying to save Erica, or on the contrary has rescued her and begun a new life with her, has a clear message: legends aside, we live only once. Although we do not get to pick the aptitudes, inclinations, and abilities that we are born with, we alone decide what to do with them. We make our own choices and we make each choice a single time, because no choice ever repeats itself.

But the characters in Dara Horn's novel do not cause us to feel they have any choice or freedom at all. The structure of the novel is so tight, its complicated plotting so meticulous, that there is no room in it for deviation; were it at any point to take a different direction because one of its characters decided to act otherwise, the entirety would be thrown out of alignment. To revert to the metaphor of architecture, it is as if the author had constructed a labyrinthine building with a very large number of rooms and then given each tenant precise instructions on what room to be in at every moment.

It is common among novelists, in discussing their craft, to report that the characters they have created occasionally do things, or pursue courses of action, that they were never intended to do or pursue. Whether characters ever quite run away from authors in such a fashion, or whether this is just a whimsical way of saying that authors sometimes surprise themselves, is moot; but the *illusion* that a character can act like this and has an autonomous existence that may defy his creator's stage directions is crucial if a novel is to have imagined people who seem to us to be making real choices. It is this illusion that Dara Horn, even as she seeks to build "a paper bridge to the world to come," has failed to create. In this respect, form and content are not matched well by her at all.

PERHAPS THE problem lies even deeper. Dara Horn has now—admirably, it must be said—written two novels that seriously aspire to be a new kind of American Jewish literature by following "a Jewish literary tradition of constant reference to . . . ancient text[s]." Readers of certain genres of Jewish literature, like medieval Hebrew poetry, know how extreme this kind of intertextuality, or "tessellation," as it is sometimes called, can be, leading at times to poems in which every line has some biblical phrase or allusion.

This kind of writing, which appeals to a postmodernist sensibility with a predilection for detecting influence everywhere, has not always been appreciated in the past as much as it is today, and it indeed has its literary charms. And yet one has to be blunt about it: it is also terribly confining. Even the greatest medieval Hebrew poets suffer from overindulgence in it. In their "constant reference to ancient texts," they frequently end up less themselves than they might have been.

Intertextuality can be reverberative, twisting and untwisting the long chains of expression in which we are the latest link. But it can also be subjugating, resulting in a writer not being given enough space, just as a writer may not give a character enough space. And space for her talent, if it is not to run aground on the preciousness of fable, is what Dara Horn needs. She may find more of it close to home than in ancient texts.

Presidential Primacy

The Powers of War and Peace: The Constitution and Foreign Affairs After 9/11

by John Yoo

University of Chicago. 388 pp. $29.00

Reviewed by
Andrew C. McCarthy

AS A HIGH-RANKING official in the Justice Department during the two years immediately after 9/11, John Yoo played a central role in developing the legal rationale for some of the most contentious aspects of the war on terror. Now a professor of law at Berkeley, he has written an essential guide for thinking about national-security challenges in an era of transnational terror networks that flout the laws of civilized warfare. Contrary to the thinking of those who are reflexively hostile to the exercise of American power, and especially to its concentration in the hands of the President, his blueprint is a document composed well over 200 years ago: the American Constitution.

Yoo begins by exploring the work of legal and political thinkers whose ideas influenced the founding generation. In their writings, he discerns a consensus view on the need for a dichotomy in government—between, on the one hand, the power of domestic rule-making, essentially reposed by them in the legislature (with enforcement entrusted to the executive), and, on the other hand, what John Locke called the "federative" power governing relations between a particular society and the rest of mankind. This latter must, for security's sake, be left almost exclusively to the judgment and alacrity of a capable executive.

How was a free society to vest such power without creating tyran-

ANDREW C. MCCARTHY *contributed "International Law v. United States" to last month's* COMMENTARY.

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ny? To the framers, the answer was through Congress's power of the purse as well as its primacy in the arena of domestic lawmaking. By means of these, presidential forays in the arena of foreign affairs could be effectively checked—deprived either of funding or of the legal arrangements necessary to carry out policy.

This, Yoo shows, was a lesson the framers may well have gleaned from the stormy history of England, where the Crown ultimately emerged with final authority to make war and peace but Parliament's fiscal dominance enabled it to play a sometimes decisive role in foreign affairs. But the American experiment in divided powers was also consciously different from the British model.

Yoo conveys the tension at work by analyzing exchanges among delegates at the Federal Convention in 1787 and in the ratification debates that followed. These do reflect a tide turning in favor of presidential power in matters of war—particularly after the convention's "great compromise," which settled that the Senate would be large and its members elected by their individual state legislatures. This rendered Congress unsuitable for crisis management, which would need to be at once decisive and indifferent to regional interests.

But while the framers perceived the urgent need for a muscular executive, they plainly did not envision a Congress relegated utterly to the sidelines. The debates, moreover, leave an imprecise understanding of the eventual division of labor between the political branches as it emerged in the Constitution itself. For this, Yoo moves to the document's text and structure, which he examines carefully alongside the failed Articles of Confederation that it supplanted as well as the state constitutions of the Revolutionary era.

Indeed, the Articles of Confederation had entrusted to *Congress* "the sole and exclusive right and power of determining on peace and war," and one state constitution, that of South Carolina, straightforwardly stipulated that the chief executive "shall have no power to make war or peace . . . without the consent of the general assembly and legislative council." This, in effect, is what many contemporary scholars construe the U.S. Constitution to be saying as well, resting their claim of a legislative war power on the clause (in Article I, Section 8) giving Congress the authority "to declare war."

But, according to Yoo, such scholars could not be more wrong. Had the framers intended to entrust

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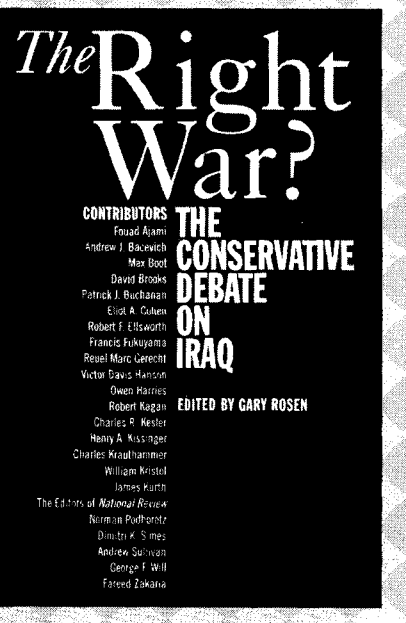

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Congress with the power to "begin," "make," "levy," "authorize," or "initiate" war, they could easily have done so. Indeed, they duly considered the possibility and then rejected it, changing an early draft that had empowered Congress to "make" war and settling instead on "declare."

At the time of the founding, this was a term of art with a well-established meaning. Neither a license to initiate hostilities nor a trigger for activating the President's authority to use force, it denoted, rather, formal notice to the world of a change in the juridical relations between belligerents. Such a formal declaration legitimated attacks on persons and property, allowed seizures of contraband supplied by neutrals, and set markers for the eventual settlement of claims in peace treaties. In brief, a declaration was legal recognition that there existed between states a condition of total war.

THE UNITED STATES has fought numerous wars over its 230-year history, but, as Yoo reminds us, it has declared war only five times, the last occasion being when Pearl Harbor was attacked in 1941. Not all wars, in other words, are total wars; lesser states of bellicosity include what we would today call "police actions," or limited-purpose campaigns like the expulsion of Iraq from Kuwait in 1991. In fact, Congress has long recognized this distinction by authorizing and subsidizing lesser, undeclared wars begun by Presidents, while conceding expanded domestic powers (such as the detention of enemy aliens) only when war has been formally declared.

In Yoo's view, the President has discretion to make war not only when Congress stays silent but even when it implicitly disapproves. President Clinton's 1999 incursion into Kosovo, for example, was undertaken in open violation of the War Powers Resolution (1973) and amid refusals by Congress (primarily the House) to authorize the use of force.

None of this, however, means that Congress is impotent: it can at any point pull the plug by cutting off appropriations. Although such a step is always politically risky when American troops are in harm's way, the constitutional power is there: the American people remain the ultimate check on the war power. (That is why Congress will surely fund wars, authorized or not, when they are popular, but is apt to flex its purse-string muscles when public opinion shifts, as happened in Vietnam and Somalia.) Still, in the end, it is the President who is empowered to act, and who must be so empowered if public safety, the most solemn obligation of government, is to be ensured.

ALTHOUGH YOO'S main focus, and the topic of greatest general urgency, is the power to make war, he also devotes a considerable portion of this book to a treatment of peace powers. Once again, he argues for presidential primacy. As government's singular organ of foreign policy, the executive is not only supreme when it comes to the interpretation of treaties but (the Constitution being silent on this point) may alone abrogate them.

This is controversial, to say the least: after all, treaties entered into by a President cannot become binding law unless they are consented to by a supermajority (two thirds) of the Senate. From the Constitution's silence on annulment, is it really possible to infer a unilateral presidential power to opt out? Answering in the affirmative, Yoo once again turns to the Constitution's structure.

The treaty power is located in Article II, the repository of presidential authority. The Senate's role is minimal. The President alone makes and, contrary to popular belief, ratifies treaties after the Senate has consented to them. By the same token, he can also decline to ratify them even when the Senate has given its consent. As for annulment, Yoo invokes a parallel situation: when it comes to government officials, the Supreme Court has long held that the President may unilaterally dismiss them even when the Senate has explicitly consented to their appointment. Analogously, should he not be able to abrogate treaties at his sole discretion, particularly given that the treaty power stems from the same clause (in Article II, section 2) as the appointment power?

Once again, though, Congress in hardly impotent. For Yoo, treaties are not "self-executing"—meaning that, being understandings between sovereigns, they do not vest individual citizens with enforceable rights. Such rights are dependent on legislation, and legislation is the business of Congress. The arrangement thus not only preserves a profound congressional influence but prevents the treaty power from overwhelming the system of popular sovereignty vouchsafed by the Constitution.

YOO'S THESIS in this book is strongest as an argument grounded in text—the text, that is, of our founding law. Precisely because the Constitution reposes such power in the executive, he argues, it is adaptable to the demands of crisis (though one must add that broad presidential power is necessarily also open to great abuse and even disastrous miscalculation). It is also flexible enough to allow for international cooperation in the name of the national interest without a wholesale commitment to dreamy multilateral constructs (though this, too, can make for trouble in an age of globalization in which dependable allies are essential).

But is Yoo's reading, especially concerning the power of war, truly consistent with the framers' original understanding? As the constitutional scholar Cass Sunstein has observed in reviewing Yoo's book,

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Christians and Israel

Are Christians Israel's supporters or its detractors?

Israel, in little more than 50 years, has developed into an advanced and powerful nation. It has done that despite almost unending war and having absorbed and integrated over a million immigrants. The Arabs and other Moslems are not the only ones who do not wish it well; many others are hostile to the Jewish state. Who are Israel's real friends?

What are the facts?

True friends of Israel. The history of the Jews is a hard one in their relationship with the Christians, among whom they have lived for almost twenty centuries. It is punctuated by terrible pain that their hosts inflicted on them. There were the Crusades, there was the Inquisition, there were expulsions from and persecutions in many countries, and uncounted pogroms. It culminated in the Holocaust, in which one-third of the world's Jews were slaughtered. The perpetrators of this worst crime in history were Christians – Protestants and Catholics. Church authorities could have prevented and stopped this genocide. Sad to say, Pope Pius XII, who could have threatened with excommunication all participants in this crime, kept silent.

> "It is only the hypocritical leaders of certain mainline Protestant churches who...derogate the State of Israel..."

In 1948, on the ashes of the Holocaust, Jews created the State of Israel. The United Nations had demanded that "Palestine," where strife between Jews and Arabs had been rampant for decades, be divided into a Jewish and an Arab state. The Jews accepted this partition; the Arabs rejected it out of hand and, with the armies of five nations, launched the first of their many wars against the nascent Jewish state. Israel prevailed in that war and in all subsequent ones. Israel's unceasing efforts to make peace were unsuccessful. It does not seem likely that peace will come in the foreseeable future.

One solid friend of Israel came to the fore. Today, American Evangelicals are the staunchest supporters of Israel. This support is largely based on the faith shared with the Jews that the land of Israel was willed by God to the children of Israel. It is a primary reason for America's friendship and solidarity with Israel. The Evangelicals believe that their end-of-time scenario will be hastened by the establishment of a Jewish state in that land.

Jews fully reciprocate the love that the Evangelicals feel for Israel. Christian institutions in Israel thrive and have the support and full protection of the government. Christian schools, Christian churches and other Christian institutions prosper. A large Christian pilgrimage center is to be built in cooperation with American Evangelicals. A Christian embassy in Jerusalem represents the interests of Christians in Israel and serves as messenger about Israel throughout the world.

Is "divestment" the new anti-Semitism? In contrast to the Evangelicals' solid support of Israel stand certain "mainline" leftists-oriented churches. On the forefront are the mainline Presbyterians. In 2000, they launched a campaign to divest from five U.S. companies (Caterpillar, Motorola, United Technologies, ITT, and CitiGroup), which they claim are complicit in Israel's mistreatment and suppression of the Arabs under their administration.

The United Church of Christ (UCC) took similar action and it seems that the Episcopalian hierarchy is also contemplating such a course. The Anglicans, the British equivalent of the Episcopalians, passed a similar resolution last year. Gratifyingly, most of the rank and file of these churches entirely disagrees with their leaders. It provokes their outrage and has also caused bipartisan condemnation in Congress.

As far as the robust Israeli economy is concerned, any possible divestment by those churches would not be much more than a pinprick. But what is significant and important is that, in hypocritical self-righteousness, those church leaders have cloaked their antipathy toward the Jews in the socially more acceptable mantle of anti-Zionism or anti-Israelism. Would those elders recommend that their church divest from Spain for their "suppression of the Basques," from China for the "subjugation of the Tibetans," or from the Arab countries for their ruthless exclusion and worse of their fellow Christian citizens, the genocide of their blacks, and for the mistreatment of women? Of course not – it is Israel, the only democratic country in the entire Middle East that merits the condemnation of the leaders of those mainline churches. It makes one wonder, doesn't it!

Jews and the State of Israel can rejoice in the solid friendship and the sturdy support of American Evangelical Christians. Also, the Roman Catholic Church, under the wise guidance of the saintly late John Paul II, has recognized its crimes against the Jews over the centuries and has asked for forgiveness and understanding. It is only the hypocritical leaders of certain mainline Protestant churches who, against the will and belief of their rank and file, derogate the State of Israel and promote the phony issue of divestment of companies that supposedly support its alleged mistreatment of the Arabs under its administration and the violation of their human rights.

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George Washington himself construed Congress's power to declare war as meaning that "no offensive expedition of importance can be undertaken until after they [Congress] have deliberated on the subject, and authorized such a measure." Other giants of the founding—Adams, Jefferson, Hamilton, Madison, Chief Justice John Marshall—voiced similar sentiments. Even granting that the framers expressly resisted congressional war-*making*, and promoted a vibrant executive, one need not interpret "declare" as narrowly and legalistically as Yoo suggests.

In short, the tension reflected in the debates at the constitutional convention persists. But one must also be alert to reality. In a world beset by the constant threat of sudden destructive force, a robust and firmly grounded view of presidential power is imperative. Potential perils come today not just from growing national powers like China but from rogue states in Iran and North Korea as well as from increasingly diffuse terror cells that have demonstrated their capacity to continue striking globally even when, as now, they are under siege. If public safety is to be something other than an illusion, securing it will demand the power to attack quickly and, in appropriate circumstances, preemptively; the price of awaiting consensus from 535 members of Congress may be too prohibitive. For showing how that power derives from the very system the framers bequeathed us, John Yoo deserves our deep thanks.

Milton Himmelfarb

1918 - 2006

We mourn the death of a longtime colleague and friend, an intellectual and scholar whose vibrant, subtle, groundbreaking essays on Jews and Judaism graced our pages for five decades. In him the modern Jewish condition found an erudite and exacting analyst, and modern Jews a loving critic and champion.

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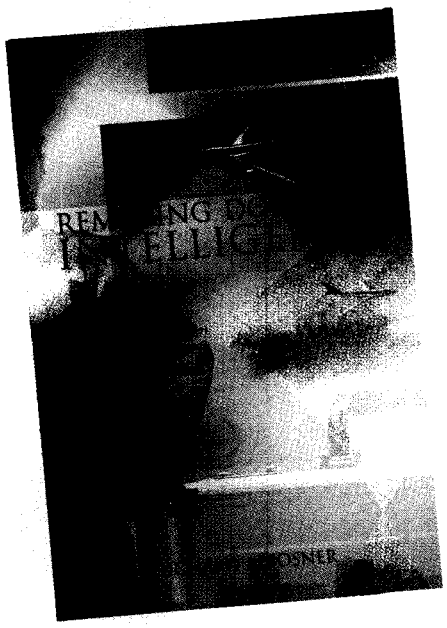

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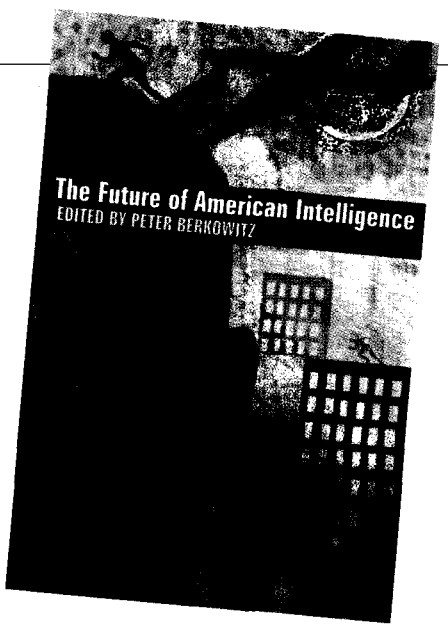

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